
K-12 Education

2001 Legislative Session Summary of Legislation Related to K-12 Education

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Please Note: This booklet contains brief summaries of bills relating to K-12 education that were considered by the Montana Legislature during the 2001 regular session. The summaries are not offered as legal advice nor as a definitive interpretation of these bills. For a more comprehensive understanding of these laws, please consult the original legislation and/or one of the associations that participated in developing these summaries.

Accreditation/Curriculum

HB 103 ALAN OLSON

MULTI-YEAR ACCREDITATION OF SCHOOLS

CHAPTER NUMBER: 73 EFFECTIVE DATE: 10/1/2001

Schools that are in compliance with 20-4-101, MCA may be accredited for a period consisting of one, two, three, four, or five school years at the sole discretion of the Board of Public Education. The Board of Public Education will develop rules to implement this more flexible standard and to include an evaluation process. The Board of Public Education has the right to rescind a multi-year designation if, in their opinion, the school has fallen out of compliance.

HB 239 BILL THOMAS

ACCESS TO INFORMATION TECHNOLOGY FOR VISUALLY IMPAIRED

CHAPTER NUMBER: 429 EFFECTIVE DATE: 7/1/2001

HB 239 requires that technology purchased in whole or in part with funds provided by the state that is intended for use by employees, program participants and the public, must be usable by individuals who are blind or visually impaired. The technology for non-visual access (synthesized speech, Braille, and other output methods not requiring sight) must have the capability of providing equivalent access by non-visual means to telecommunications or other interconnected network services used by persons who are not blind or visually impaired. Compliance must be achieved at the time of purchase of an upgrade or replacement of existing equipment or software or at the time of purchase of new technology.

HB 267 CAROL C JUNEAU

ALLOW TRIBAL COLLEGES TO APPLY FOR STATE ADULT EDUCATION FUNDS

CHAPTER NUMBER: 148 EFFECTIVE DATE: 7/1/2001

Accredited tribal colleges are added to schools and community colleges as appropriate entities that the Office of Public Instruction may fund for the support of adult basic education.

HB 272 ALAN OLSON

REVISE RELIGIOUS INSTRUCTION RELEASED PROGRAM TIME

CHAPTER NUMBER: 84 EFFECTIVE DATE: 10/1/2001

The trustees of a school district may provide release time for religious instruction. A pupil may be released from regular school attendance for the purpose of receiving religious instruction upon written request, renewed annually, of a pupil's parent or guardian. The trustees have the authority to determine the amount of time for which a pupil may be released for religious instruction.

HB 526 GARY BRANAE
CREATE SUMMER YOUTH EMPLOYMENT PROGRAM
CHAPTER NUMBER: 525 EFFECTIVE DATE: 5/1/2001

This legislation creates the summer youth employment program for the purpose of providing Montana's low-income and other at-risk youth, ages 14 through 17, with summer employment and job training that directly link to academic and occupational learning. HB 526 establishes the program operation period and participant assessment. The program is administered by local workforce investment boards as created by the Workforce Investment Act of 1998 and designated by the governor.

SB 129 DALE BERRY
IMPLEMENT TOBACCO SETTLEMENT TRUST FUND
CHAPTER NUMBER: 467 EFFECTIVE DATE: 4/30/2001

A Montana tobacco settlement trust fund is created that establishes a permanent source of revenue to fund programs for tobacco disease prevention and health care programs. SB 129 clarifies the purposes for which the interest, income, and principal of the trust may be appropriated and provides for the separate investment of the constitutionally-protected tobacco settlement trust fund.

SB 226 JACK WELLS
MODIFY STATUTE ON USE OF NAMES FOR MAILING LIST
CHAPTER NUMBER: 319 EFFECTIVE DATE: 10/1/2001

SB 226 amends 2-6-109, MCA to allow public schools to provide mailing lists of graduating students to representatives of the armed forces of the United States and the National Guard for the purpose of recruitment.

SB 322 DEBBIE SHEA
NATURAL RESOURCE WORKER EDUCATION AND RETRAINING
CHAPTER NUMBER: 586 EFFECTIVE DATE: UPON OCCURENCE OF CONTINGENCY

SB 322 provides workers in Montana who have lost their jobs in the natural resource industry an opportunity to obtain education and training. A scholarship program will be administered by the Department of Labor and Industry, which may make tuition scholarship payments to school districts, community colleges, tribal colleges or units of the university system for appropriate services on behalf of qualified participants. The funding for this program will not become available until the school year in which the Resource Indemnity Trust fund reaches \$100 million.

SB 394 DEBBIE SHEA
ALLOW SCHOOL DISTRICTS TO ENTER INTO AGREEMENTS WITH JOB CORPS PROGRAMS
CHAPTER NUMBER: 462 EFFECTIVE DATE: 7/1/2002

School districts may enter into interlocal agreements with accredited Job Corps programs to provide educational or vocational services to supplement the district's educational program. Students enrolled through an agreement must be enrolled in the local school district and must

earn credits that meet the graduation requirements in the student's district of residence. Under SB 394, students that remain enrolled in a school district are included in the district's enrollment count for the purposes of determining average number belonging (ANB).

SB 469 BOB DEPRATU
COORDINATE WORKFORCE DEVELOPMENT PROGRAMS
CHAPTER NUMBER: 343 EFFECTIVE DATE: 4/21/2001

SB 469 provides coordination between the Department of Public Health and Human Services and the Department of Labor and Industry for certain workforce development programs and allows the Governor to consolidate and transfer other state agency workforce development programs into the Department of Labor and Industry through executive order.

Failed Legislation — Accreditation/Curriculum

HB 53 CAROL C JUNEAU
INDIAN HIRING PREFERENCE FOR
RESERVATION SCHOOLS

HB 588 JOE BALYEAT
REQUIRE OBJECTIVITY IN
SCIENCE EDUCATION

HB 181 DAVE LEWIS
INDIVIDUALIZED BRAILLE LITERACY
ASSESSMENTS FOR BLIND STUDENTS

HB 629 BILL EGGERS
STATEWIDE PROGRAM OF
COMPUTER EDUCATION

HB 262 ALLAN WALTERS
FILTER OBSCENE INTERNET
MATERIAL IN SCHOOLS

HB 630 ROSALIE (ROSIE) BUZZAS
ESTABLISH CHILD AND YOUTH DEVELOPMENT
GRANT PROGRAM

HB 384 TOM FACEY
SURVEY USE OF SCHOOL BUILDINGS

HB 641 MONICA LINDEEN
PLANT CLOSURE IMPACTS

HB 449 CINDY YOUNKIN
HIGH SCHOOL HONOR SCHOLARSHIP PROGRAM

SB 35 AL BISHOP
REQUIRE UNIFORMS IN PUBLIC SCHOOLS

HB 520 PAUL CLARK
STUDENT HUNTER SAFETY EDUCATION OR
HUNTING ACTIVITY RELEASE TIME PROGRAM

SB 36 AL BISHOP
DRESS CODE FOR TEACHERS

HB 536 ROGER SOMERVILLE
REVISE GIFTED AND TALENTED EDUCATION LAWS

SB 139 JACK WELLS
PROTECT MINORS FROM OBSCENITY OVER
INTERNET IN LIBRARIES

HB 557 TOM FACEY
REQUIRE SCHOOLS TO REPORT TO OPI ON
HEALTH/HUMAN SEXUALITY CURRICULUM

SB 140 JACK WELLS
ALLOW PARENT ACCESS TO CHILD'S LIBRARY
INFORMATION

HB 558 HOLLY RASER
EXTEND NOTIFICATION FOR COMPULSORY
ATTENDANCE TO NONPUBLIC SCHOOLS

SB 177 JACK WELLS
FUNDAMENTAL RIGHT OF PARENTS IN
UPBRINGING OF CHILD

Failed Legislation — Accreditation/Curriculum

SB 418 DUANE GRIMES

BOARD OF PUBLIC ED. TO ADOPT RULES ON
TEACHING SEXUAL ABSTINENCE

SJ 14 EVE FRANKLIN

URGE ESTABLISHING PUBLIC SERVICE
OBLIGATION FOR 18-YEAR-OLDS

SB 430 ALVIN ELLIS

K-12 READING ACCOUNTABILITY

Appropriations

HB 2 STEVE VICK GENERAL APPROPRIATIONS ACT

CHAPTER NUMBER: 572 EFFECTIVE DATE: 7/1/2001

HB 2 contains the majority of state agency appropriations for the biennium beginning July 1, 2001. The appropriations include approximately \$12 million in each of the next two fiscal years for Office of Public Instruction (OPI) operations and technical assistance to schools, and approximately \$595 million each year for distributions of state and federal aid to schools.

For K-12 education, HB 2:

Increases funding for K-12 BASE Aid by 1.88 percent for FY 2002 and by another 1.88 percent for FY 2003. The cost of the entitlement increases is \$8.79 million for FY 2002 and \$16.86 million for FY 2003 for a total of \$25.65 million over the biennium.

Increases funding for state special education allowable costs by 0 percent in FY 2002 and by 3 percent in FY 2003. The general fund appropriation is \$33.90 million in FY 2002 and \$34.92 million in FY 2003.

Appropriates a biennial increase of more than \$20 million for payments to local education agencies from existing, on-going federal grants.

Approves continued funding for the federal Reduced Class Size initiative in the amount of \$17,098,303 over the biennium.

Provides an appropriation of \$5,428,913 each year for competitive grants to schools from the School Emergency Renovation program. This is a new, federally funded program.

Appropriates \$5,083,000 for payments to school district flexibility funds in FY 2003, provided SB 495 is not enjoined before April 1, 2002. If SB 495 is enjoined, this funding for schools is void.

Appropriates \$550,000 each year for the federal Special Education State Improvement Grant. This is a new federally funded grant. The project targets the areas of personnel preparation, recruitment, retention, and professional development.

Increases the appropriation for School Facility payments by \$350,000 in FY 2002 and by \$700,000 in FY 2003 due to the recent passage of a number of school building bond elections.

Appropriates \$477,013 in federal Coordinated School Health Program funds to enhance OPI's ability to provide support to school districts in their efforts to establish health education programs.

Provides \$30,000 general fund each year for stipends paid to up to 10 Montana public school teachers who obtain certification from the National Board for Professional Teaching Standards. The stipends are each one-time payments in the amount of \$3,000.

Provides an appropriation of \$194,900 in FY 2002 and \$238,600 in FY 2003 for payments to schools under the Advanced Placement Incentive Program. This federally funded program is intended to encourage low-income students to participate in Advanced Placement courses in preparation for the more challenging coursework of the higher grades and to lay the groundwork for college success.

Provides for a reduction of \$250,000 each year in payments made to district driver education programs due to a decline in revenues from drivers' license fees. This temporary decline is a result of converting from 4-year licenses to 8-year licenses.

In addition, the appropriations to reimburse county wide and school district funds for the revenue reductions contained in HB 124 are in that bill. (See the description for HB 124 in the *School Finance* section of this booklet.)

The appropriation for payments to schools from school trust land timber harvest revenues is now a "statutory" appropriation, meaning the amount of the appropriation will depend on the amount of revenue collected. Timber harvest payments to schools for technology purchases for the 2002-2003 biennium are currently estimated to be \$2,850,000. (See the description for HB 41 below.)

HB 3 STANLEY FISHER
SUPPLEMENTAL APPROPRIATIONS

CHAPTER NUMBER: 550 EFFECTIVE DATE: 5/2/2001

HB 3 gives the Office of Public Instruction (OPI) additional appropriation authority to complete FY 2001 K-12 BASE aid payments based on the budget data submitted to OPI by school districts and counties. HB 3 also appropriates an additional \$1.5 million to OPI to complete the FY 2001 distribution of timber harvest revenues to schools.

HB 41 JOHN WITT
REVISE LAWS GOVERNING DEDICATED REVENUE AND STATUTORY APPROPRIATIONS

CHAPTER NUMBER: 554 EFFECTIVE DATE: 7/1/2001

Currently the income and interest earned from public school trust lands are deposited in the state's general fund and commingled with other general fund revenues. Under HB 41 these revenues will be accounted for and invested separately from other state general fund revenues. Interest and income from the trust lands is dedicated by the Constitution to fund schools and is used to fund a portion of the state's BASE aid payments and the Timber Harvest for Technology payment to schools.

HB 526 GARY BRANAE
CREATING SUMMER YOUTH EMPLOYMENT PROGRAM
CHAPTER NUMBER: 525 EFFECTIVE DATE: 5/1/2001

(See *Accreditation and Curriculum* Section, page 2.)

HJ 2 ROGER SOMERVILLE
REVENUE ESTIMATING RESOLUTION
CHAPTER NUMBER: N/A EFFECTIVE DATE: N/A

HJ 2 lists the actual and estimated revenues for all general fund and certain non-general fund state revenue sources for state fiscal years 2001 through 2003. The resolution articulates many of the economic assumptions that drive the revenue estimates and projects general fund revenues of \$1.20 billion in FY 2001, \$1.20 billion in FY 2002, and \$1.21 billion in FY 2003. In building the budget for the 2003 biennium, a \$50.6 million ending fund balance is anticipated.

SB 60 BEA MCCARTHY
ENABLING LEGISLATION FOR EDUCATION COMMISSION OF THE STATES
CHAPTER NUMBER: 273 EFFECTIVE DATE: 7/1/2001

Through this legislation, Montana formally adopts the Compact for Education and institutes a State Commission comprised of the governor, superintendent of public instruction, a state senator and representative, and three people appointed by the governor including: one educator engaged in the field of higher education and two educators engaged in the field of K-12 education. The commission is charged with collecting and analyzing educational data, fostering and conducting research, developing proposals for adequate financing of education and formulating suggested policies and plans for the improvement of public education.

Failed Legislation — Appropriations

HB 48 EDITH CLARK
APPROPRIATION TO IMPLEMENT STATE
CONTRACTING RECOMMENDATIONS

HB 613 STEVE VICK
REVIEW PERSONAL SERVICES BUDGET
DEVELOPMENT

HB 58 RON ERICKSON
INCREASE TAX ON CIGARETTES AND TOBACCO
PRODUCTS FOR EDUCATION FUNDING

HB 624 GAY ANN MASOLO
CREATE AND FUND CAREER AND TECHNICAL
EDUCATION GRANT PROGRAM

HB 178 STANLEY FISHER
REVISE FUNDING OF EDUCATIONAL SERVICES IN
RESIDENTIAL TREATMENT CENTERS

SB 294 RIC HOLDEN
SCHOOL CAFETERIA ASSISTANCE AND FOOD
EQUIPMENT PROGRAM ACT

At-Risk Youth

HB 30 GARY MATTHEWS
CLARIFYING PLACE TO RECEIVE CUSTODY OF YOUTH
CHAPTER NUMBER: 221 EFFECTIVE DATE: 10/1/2001

HB 30 requires the Department of Corrections to specify the location where it will take custody of an adjudicated youth. The district court judge is responsible for arranging the transportation of the youth at county expense; however, that expense is limited to locations within the state of Montana.

HB 353 NANCY FRITZ
SCHOOL BREAKFAST PROGRAM
CHAPTER NUMBER: 437 EFFECTIVE DATE: 7/1/2001

School districts may apply to the Office of Public Instruction for startup funds to establish a school breakfast program within any / all of their schools. Participating schools must make the program available to all students within the school, serve breakfasts that meet federal standards, and provide free and reduced-price breakfasts to eligible children. HB 2 appropriates \$178,178 (subject to availability of funding) from federal TANF monies to fund school breakfast programs in the 2003 biennium.

SB 82 BOB KEENAN
REVISE LAWS ON PUBLIC MENTAL HEALTH SYSTEM
CHAPTER NUMBER: 466 EFFECTIVE DATE: 10/1/2001

SB 82 revises statutes related to mental health and managed care. It gives the Department of Public Health and Human Services (DPHHS) responsibility for assessing financial stability of managed care community networks, eliminates the Insurance Commissioner's seat on the Mental Health Oversight Advisory Council, and sets 160 percent of poverty as the upper limit on financial eligibility for the Mental Health Services Plan (non-Medicaid mental health program).

SB 82 allows DPHHS to contract for management of comprehensive mental health services for Medicaid recipients and individuals eligible for the Mental Health Services Plan. The management of mental health services must provide for the most cost-effective coordination and management of the appropriate level of care and the appropriate level of services.

SB 107 EVE FRANKLIN
ALLOW TELECONFERENCING IN MENTAL HEALTH PROCEEDINGS
CHAPTER NUMBER: 212 EFFECTIVE DATE: 10/1/2001

SB 107 provides judges with the discretion to conduct mental health hearings using two-way electronic audio-video communications, provided that the patient or respondent, counsel or professional person does not object, and provided that the patient, counsel, and judge can see and simultaneously converse with one another. A variety of mental health hearings can be conducted in this fashion, including initial detention hearings, hearings on extensions of commitments, hearings on re-hospitalization and others.

SB 116 EMILY STONINGTON

REVISE LAWS CONCERNING CHILD ABUSE & NEGLECT AND PLACEMENT OR ADOPTION

CHAPTER NUMBER: 311

EFFECTIVE DATE: 10/1/2001

SB 116 generally:

- revises the laws relating to child abuse and neglect, youth in need of care, adoption, and foster children;

- revises provisions relating to placement and disposition of abused and neglected youth;
- provides definitions;

- allows the Child and Family Services Division to assess reports of abuse or neglect to determine action required;

- provides that the Montana Rules of Evidence apply to proceedings; and

- provides for a background check on a person seeking a license for a youth foster home.

SB 116 contains provisions which strengthen the role of the noncustodial parent and the extended family in the placement of children who are the subject of abuse/neglect proceedings. First, SB 116 establishes that, as a matter of public policy, the social worker must consider the noncustodial parent of the child as a placement option when it is in the child's best interest. In addition, the bill contains a provision which allows the court to order that the custodial parent provide the social worker with the name and address of the noncustodial parent and the names and addresses of extended family members who may be considered as placement options for the child. Finally, SB 116 clarifies that a placement with a fit and willing relative can be considered a permanent placement for the child.

SB 116 contains provisions which provide additional protections for children. Effective October 1, 2001, the court may order that the perpetrator of alleged child maltreatment be removed from the familial home to allow the child to remain in the home. The bill also authorizes the Child and Family Services Division to conduct criminal background investigation on applicants for a youth foster home license. This investigation includes a fingerprint check by the Montana Department of Justice and the Federal Bureau of Investigation.

SB 116 contains two provisions that will impact the delivery of services to adolescents. First, the Child and Family Services Division will have authority to establish standards to license transitional living programs, which target adolescents who will be transitioning out of the foster care system. Second, the Division will have the authority to continue paying for an adolescent's out-of-home placement beyond the youth's 18th birthday (up to age 21).

SB 170 MIKE HALLIGAN

REVISE CHILD ABUSE AND NEGLECT LAWS

CHAPTER NUMBER: 281

EFFECTIVE DATE: 10/1/2001

SB 170 generally:

- allows school districts to disclose without consent certain information to the court, the Child and Family Services Division, and a child's legal representative, among others;

- requires appointment of counsel for indigent parents when the state requests a determination that preservation or reunification services need not be provided;

- allows alternative dispute resolution in child abuse and neglect cases;

requires a show cause hearing to be held within 10 days, excluding weekends and holidays, of the filing of an initial petition;

requires an adjudication of “youth in need of care” be made within 90 days of the show cause hearing; and

requires a dispositional hearing be held within 20 days after an adjudicatory order.

Of particular importance for schools, SB 170 amends 41-3-205, MCA concerning confidentiality, to read: *(4) A school or school district may disclose, without consent, personally identifiable information from the education records of a pupil to the department, the court, a review board, and the child's court-appointed attorney, guardian ad litem, or special advocate.*

While this provision apparently conflicts with the Family Educational Right to Privacy Act (FERPA), the U.S. Department of Education (DOE) has concluded that provisions like this do not violate FERPA. In 1997, the DOE wrote:

“Because FERPA generally prohibits educational agencies or institutions from releasing educational records or personally identifiable information from those records without the consent of the parent, and [the Federal Child Abuse Prevention and Treatment Act] mandates that a state employee notify the proper authorities when they know or have cause to suspect that a child has been or is likely to be abused or neglected, we believe that a conflict exists between two Federal laws. See 20 U.S.C § 1232g(b)(1) and 42 U.S.C § 5106a(b)(1)(A); Tex. Family Code Ann. § 261.101. We believe that given the choice between promoting the purposes of the later enacted federal child abuse reporting requirements and a parent’s right to protect against the disclosure of his or her child’s education records without their consent, Congress intended that any suspected incidents of abuse should be reported.”

Therefore, 41-3-205, MCA — as amended by SB 170 — does not violate FERPA.

SB 184 JOHN COBB

EXPAND INTERAGENCY COORDINATING COUNCIL FOR PREVENTION PROGRAMS MEMBERS

CHAPTER NUMBER: 215 EFFECTIVE DATE: 10/1/2001

The Interagency Coordinating Council for state prevention programs includes the attorney general, director of the Department of Public Health and Human Services, superintendent of public instruction, presiding officer of the Children’s Trust Fund, two appointees by the governor, administrator of the Board of Crime Control, commissioner of the Department of Labor and Industry, and the director of the Department of Corrections and coordinator of Indian Affairs. Added to the council are the adjutant general of the Department of Military Affairs, the director of the Department of Transportation, and the commissioner of Higher Education.

SB 454 MIGNON WATERMAN

MULTIAGENCY INITIATIVE FOR HI-COST SED CHILDREN CASES

CHAPTER NUMBER: 416 EFFECTIVE DATE: 4/28/2001

SB 454 directs state agencies to engage in unified planning to further develop a continuum of services to reduce the use of high cost, highly restrictive, out-of-home residential placements of children with serious emotional disturbance. The Department of Public Health and Human Services shall work with the Office of Public Instruction, the Department of Corrections, the Department of Justice, and youth courts to coordinate multiagency services. The bill encourages pooling of funding from federal, state and local sources; provides for multiagency data collection; and training and technical assistance at the local level.

SB 454 places the priority on the development of care and treatment plans for those students who require high cost services, who are receiving services out of state, or who require multiagency services in order for the child to be served in the state or in the child's home community.

SJ 2 MIGNON WATERMAN
URGE TRAINING ON MENTAL ILLNESS

CHAPTER NUMBER: N/A EFFECTIVE DATE: N/A

SJ 2 requests that a variety of state agencies, the Peace Officers Training Council, courts, the State Bar and mental health centers develop, coordinate and integrate training on issues regarding mental illness. This training is to be provided to law enforcement, courts, attorneys, corrections staff and probation and parole staffs. The training is to include: understanding signs and symptoms of mental illness, crisis intervention, medication, appropriate resources and referrals, legal protections, and other matters of importance for proper response to persons with mental illness.

Failed Legislation — At-Risk Youth

HB 81 JOAN ANDERSEN
STUDENT ALCOHOL , TOBACCO, & DRUG TESTING
FOR EXTRA CURRICULAR ACTIVITIES

SB 88 MIGNON WATERMAN
CONTINUE MEDICAID FUNDING FOR YOUTH
LEAVING FOSTER CARE UNTIL AGE 21

Elections

HB 20 JIM SHOCKLEY

EXCLUDE ELECTION JUDGES FROM UNEMPLOYMENT INSURANCE

CHAPTER NUMBER: 44 EFFECTIVE DATE: 10/1/2001

HB 20 exempts election judges from unemployment insurance coverage if compensation received by the election judge during the calendar year is less than \$1,000.

HB 80 FRANK SMITH

REQUIRE LOCAL RESIDENTIAL ADDRESS FOR VOTER REGISTRATION

CHAPTER NUMBER: 63 EFFECTIVE DATE: 10/1/2001

HB 80 requires that a voter provide the county election administrator with her or his residential address when she or he registers to vote.

HB 91 GEORGE GOLIE

COORDINATE SCHOOL ELECTION DATES

CHAPTER NUMBER: 15 EFFECTIVE DATE: 2/14/2001

HB 91 coordinates school election dates by requiring a person seeking to become a write-in candidate for a trustee position on a school board to file a declaration of intent at least 26 days before the election and allows a district to declare the election by acclamation no fewer than 25 days before the election.

HB 179 TOM DELL

VOTER MILL LEVY ADVISORY LANGUAGE

CHAPTER NUMBER: 495 EFFECTIVE DATE: 10/1/2001

A resolution or petition indicating intent to impose a new levy or to increase a mill levy upon voter approval must include:

- the specific purpose for which the additional money will be used;
- the specific amount to be raised;
- the approximate number of mills required; and
- the durational limit, if any, on the levy.

The ballot form for the election must reflect the content of the resolution and must include a statement of the impact of the election on a home valued at \$100,000 and a home valued at \$200,000. The impact must be expressed in terms of actual dollars in additional property taxes that would be imposed if the mill levy were to pass. The ballot may also include a statement of the impact on homes of any other value in the district, if appropriate.

The provisions of HB 179 apply to all regular and special school district levy elections, but do not apply to the ballot for an election to adopt a general fund budget amount in excess of a district's maximum general fund budget.

HB 204 ROD BITNEY

CANCEL VOTER REGISTRATION FOR FAILURE TO VOTE IN 2 CONSECUTIVE FEDERAL ELECTIONS

CHAPTER NUMBER: 96 EFFECTIVE DATE: 10/1/2001

The county election administrator shall cancel the voter registration of anyone who fails to vote in two consecutive federal general elections.

HB 241 BILL THOMAS

CLARIFY LAW ON INSTRUCTIONS TO VOTERS

CHAPTER NUMBER: 134 EFFECTIVE DATE: 10/1/2001

All ballots must be given to an election judge who will, in plain sight, remove the ballot stub and immediately place the ballot in a ballot box without opening or examining the ballot.

HB 321 DEE BROWN

SECOND ALTERNATIVE FOR ELECTING ADDITIONAL HIGH SCHOOL TRUSTEES

CHAPTER NUMBER: 151 EFFECTIVE DATE: 10/1/2001

HB 321 provides a third alternative method for electing high school trustees when more than half of the electors of the high school district reside outside the territory of the elementary district in which the high school buildings are located. In addition to the two methods found in 20-3-352, MCA, the new alternative is for the county superintendent to establish four trustee nominating districts within the high school district but outside the territory of the elementary district in which the high school buildings are located. One trustee must be elected from each trustee-nominating district and three trustees must be elected from the elementary district in which the high school buildings are located, for a total of seven trustees on the high school district board of trustees. The three trustees elected from the elementary district in which the high school buildings are located shall serve on both the high school and elementary school boards.

SB 423 ALVIN ELLIS

PETITION TO CREATE SINGLE MEMBER SCHOOL TRUSTEE DISTRICTS

CHAPTER NUMBER: 548 EFFECTIVE DATE: 5/1/2001

SB 423 amends Montana law concerning the creation of single member districts. Upon receipt of a duly qualified petition signed by 10 percent or more of the qualified electors of a district to create a single-member trustee district, the trustees will hold an election on the question. The petition must be forwarded to the secretary of state and the superintendent of public instruction for review and comment before the election is held. The election must be held at the next school election scheduled pursuant to 20-20-105, MCA. If a majority of the votes cast at the election approve the creation of a single-member trustee district, the election official shall, within 10 days of the official election canvas, certify that the district be formed. Vacant positions must be filled in accordance with 20-3-309, MCA except that a person who resides within the single-member district must fill the position.

Failed Legislation — Elections

SB 110 ALVIN ELLIS

REVISE PRIMARY ELECTION AND SCHOOL
ELECTION DATES

SB 404 EVE FRANKLIN

CLARIFY VOTING FOR RESIDENTS OF SPLIT
SCHOOL DISTRICT

Employment Relations

HB 13 DAVE LEWIS

STATE PAY PLAN

CHAPTER NUMBER: 553

EFFECTIVE DATE: 7/1/2001

HB 13, the state employee pay bill, increases state employees' pay up to 4 percent each year on the employee's anniversary date. October 1st is the anniversary date for all employees hired on or before September 30, 1994. HB 13 also increases the pay grade structure by 3.4 percent each year of the biennium. The state contribution for group benefits increases from \$295 to \$325 per employee beginning January 1, 2002 through December 31, 2002 and to \$366 on January 1, 2003.

HB 19 RALPH LENHART

EXEMPT AMATEUR ATHLETIC OFFICIALS FROM WORK COMP

CHAPTER NUMBER: 43

EFFECTIVE DATE: 3/16/2001

HB 19 specifically exempts all amateur athletic officials from provisions of worker's compensation insurance coverage. Previously, only high school athletic officials were exempted.

HB 71 DAVE GALLIK

CLARIFY APPLICABILITY OF MINIMUM WAGE AND OVERTIME LAWS

CHAPTER NUMBER: 71

EFFECTIVE DATE: 3/20/2001

HB 71 applies coverage of Montana minimum wage and overtime law to state government. Currently state government is exempt from this Montana law because of coverage under the Fair Labor Standards Act (FLSA). HB 71 removes this FLSA exemption. Law enforcement and firefighting personnel are still exempted from state coverage to continue state agency scheduling flexibility.

HB 97 DAVE LEWIS

REVISE LAWS GOVERNING TEACHERS' RETIREMENT SYSTEM

CHAPTER NUMBER: 45

EFFECTIVE DATE: 3/16/2001

HB 97 is the Teacher's Retirement System (TRS) "housekeeping" bill for 2001 and is intended to make general revisions to the laws governing the TRS system. Highlights of HB 97 include clarification of membership eligibility for part-time teacher's aides and school business officials and simplifying the calculation of the maximum a retiree may earn if she or he returns to teaching in Montana.

HB 112 JOHN BRUEGGEMAN
ESTABLISH POLICY GOVERNING E-MAIL AS A PUBLIC RECORD
CHAPTER NUMBER: 77 EFFECTIVE DATE: 7/1/2001

HB 112 provides that electronic mail sent or received by a state agency in connection with the transaction of official duties is a public record and therefore must be retained in either an electronic or paper copy to the same extent that other public records are maintained. The legislation also provides the unlawful interception of electronic mail as a violation of the law on privacy in communications.

HB 116 DOUGLAS MOOD
GENERALLY REVISE THE PERS DEFINED CONTRIBUTION RETIREMENT PLAN
CHAPTER NUMBER: 490 EFFECTIVE DATE: 7/1/2001

HB 116 is a "housekeeping" bill to extend the same disability coverage for employees participating in the Defined Contribution Retirement Plan as exists for those in the Defined Benefit Retirement Plan.

HB 281 MONICA LINDEEN
GOVERNMENTAL INTERNET INFORMATION PRIVACY ACT
CHAPTER NUMBER: 219 EFFECTIVE DATE: 10/1/2001

HB 281, the "Governmental Internet Information Privacy Act" provides that a government Web site, including one operated by a school district, may not collect personally identifiable information online from a Web site user unless the Web site: (1) identifies who operates the Web site, (2) provides the address and telephone number which the operator may be contacted as well as an electronic means of contacting the operator, and (3) generally describes the operator's information practices, including policies to protect the privacy of the user and the steps taken to protect the security of the collected information.

Additionally, if the personally identifiable information may be used for a purpose other than the express purpose of the website or may be given or sold to a third party, then the Web site must include: (1) a clear notice to the user that the information collected could be used for purposes other than the purposes of the Web site, (2) a general description of the types of third parties that may obtain the information, and (3) a clear procedure requiring an affirmative expression of the user's permission before the information is collected. "Personally identifiable information" is defined as including: a first and last name, a physical address, an e-mail address, a telephone number, social security number, or unique identifying information that an Internet service provider or a government Web site operator collects and combines with any other part of the definition.

HB 294 DAVE LEWIS
AUTHORIZE RETIREMENT BOARDS TO INCREASE ANNUAL BENEFIT ADJUSTMENT
CHAPTER NUMBER: 149 EFFECTIVE DATE: 3/29/2001

HB 294 increases the Guaranteed Annual Benefit Adjustment (GABA) for retired members of the Public Employment Retirement System (PERS) from 1.5 to 3 percent annually. It also authorizes the PERS board to set an "actuarial equivalent."

HB 345 JEFF MANGAN
REVISE COUNTY OFFICIAL SALARIES
CHAPTER NUMBER: 507 EFFECTIVE DATE: 5/1/2001

County governing boards are authorized to establish salaries for county officers, including county superintendents of schools, based on the recommendations of the county compensation board. The county compensation board consists of the county commissioners, three other county officials, the county attorney, and two resident taxpayers appointed by the board of county commissioners. HB 345 deletes the statutory provisions that specify the annual base salary amount for county superintendents.

HJ 34 DICK HAINES
STUDY UNFUNDED LEAVE LIABILITY OF STATE EMPLOYEES
CHAPTER NUMBER: N/A EFFECTIVE DATE: N/A

The study called for in HJ 34 was requested in recognition of the unfunded liability to the state resulting from the accrual of unused employee sick and annual leave. The study will assess the budgetary implications of the liability to both state and federally funded programs.

SB 4 DUANE GRIMES
CLARIFY DISCHARGE FROM EMPLOYMENT DURING PROBATIONARY PERIOD
CHAPTER NUMBER: 583 EFFECTIVE DATE: 10/1/2001

SB 4 establishes a six-month probationary period if an employer does not establish a probationary period upon hire. It also clarifies that it is not wrongful discharge to dismiss an employee for any or no reason during the probationary period.

SB 37 DALE MAHLUM
INCREASE RETIREE HOURS OF PUBLIC EMPLOYMENT LIMIT
CHAPTER NUMBER: 66 EFFECTIVE DATE: 3/16/2001

SB 37 increases the number of hours a PERS retiree may work for a PERS covered state agency and still retain their retirement benefits. Eligible retirees may now work up to 960 hours per calendar year for the state, instead of the previous maximum of 640 hours.

SB 51 DON HARGROVE
PUBLIC EMPLOYEE QUALIFIED HEALTH CARE EXPENSE ACCOUNTS
CHAPTER NUMBER: 272 EFFECTIVE DATE: 4/20/2001

SB 51 directs the Department of Administration to establish a plan under a tax-exempt entity that qualifies as a voluntary employees' beneficiary association (VEBA). The VEBA would provide employees with individual health care expense trust accounts. The accounts would be available to all Montana public employees if they elect to participate. The accounts enable a participating employee to "cash in" unused sick leave (at 25 percent of its value) to pay for qualified health care expenses after the employee's termination or retirement. It is anticipated the VEBA will be set up and available to employees within a year.

SB 89 MIGNON WATERMAN
REDUCE WAITING PERIOD FOR GABA TO 1 YEAR
CHAPTER NUMBER: 309 EFFECTIVE DATE: 4/21/2001

SB 89 reduces the waiting period for a guaranteed annual benefit adjustment (GABA) from 36 months to one year. The benefit adjustment is made each year in January.

SB 229 VICKI COCCHIARELLA
NOT MARITAL STATUS DISCRIMINATION TO HIRE SPOUSE
CHAPTER NUMBER: 287 EFFECTIVE DATE: 10/1/2001

SB 229 stipulates that it is not an act of marital status discrimination for an employer to employ or offer to employ a person who is qualified for the position and to also employ or offer to employ the person's spouse.

SB 235 VICKI COCCHIARELLA
REVISE GABA IF BECOME MEMBER OF ANOTHER RETIREMENT SYSTEM
CHAPTER NUMBER: 62 EFFECTIVE DATE: 3/16/2001

SB 235 lifts a previous restriction and allows all state retirees to receive the GABA while working in a position covered by any other state retirement system.

SB 256 DON HARGROVE
COMPLIANCE WITH SELECTIVE SERVICE AS CONDITION FOR PUBLIC EMPLOYMENT
CHAPTER NUMBER: 320 EFFECTIVE DATE: 7/1/2001

As a result of SB 256, state agencies or the university system may not hire males who have not complied with the federal Military Selective Service Act by registering for the draft. The rule applies to newly hired males born after January 1, 1960. This law will not affect current employees.

SB 305 VICKI COCCHIARELLA
ALTERNATIVE POSITION FOR WORK COMP WHEN NO POSITION AVAILABLE
CHAPTER NUMBER: 292 EFFECTIVE DATE: 7/1/2001

An injured worker with physical restrictions may, with approval of the treating physician, return to an alternative or modified employment position with a different employer if an alternative or modified employment position is not available with the employer that was the injured worker's employer at the time of injury.

SB 306 VICKI COCCHIARELLA
REVISE PUBLIC RETIREMENT AFTER 25 YEARS OF SERVICE
CHAPTER NUMBER: 217 EFFECTIVE DATE: 7/1/2001

SB 306 increases the retirement benefits and disability retirement benefits for employees with at least 25 years of service. Benefits increase 1-2 percent per year from 25 to 30 years and reach 60 percent (compared to 53 percent previously) at 30 years of service and age 60 or older.

SB 323 WALTER MCNUTT
REVISE EXCLUSIVE REMEDY FOR WORKER'S COMPENSATION
CHAPTER NUMBER: 229 EFFECTIVE DATE: 4/12/2001

SB 323 requires an intentional and deliberate act of an employer for the employer to be liable outside the workers' compensation system. An injured employee has a cause of action only if a fellow employee or employer intentionally caused an injury. This bill applies to injuries that arise on or after April 12, 2001, the effective date of the bill.

SB 428 DAN HARRINGTON
INCREASE PERCENTAGE OF SALARY FOR UNEMPLOYMENT CALCULATION
CHAPTER NUMBER: 333 EFFECTIVE DATE: 7/1/2001

The unemployment insurance maximum weekly benefit amount is increased from 60 to 63 percent of the average weekly wage.

Failed Legislation — Employment Relations

HB 133 DAVE LEWIS
ALLOW EMPLOYEE TO ROLL OVER SICK LEAVE TO
SPOUSE WHO IS EMPLOYEE

HB 150 ROD BITNEY
EXEMPT CERTAIN BENEFITS FROM ATTACHMENT

HB 232 BOB LAWSON
INCLUDE ALL SCHOOL PERSONNEL IN
COMPENSATED ABSENCE LIABILITY FUND

HB 251 JIM KEANE
REVISE STATE SICK LEAVE POLICY

HB 270 DAVID WANZENRIED
TAX CREDIT FOR PUBLIC SCHOOL TEACHER
PURCHASE OF SCHOOL SUPPLIES

HB 379 KATHLEEN GALVIN-HALCRO
CLARIFY REQUIREMENT FOR EMPLOYEE BREAK
TIME

HB 511 DAN MCGEE
CLARIFYING THAT SEX MEANS GENDER FOR
PURPOSES OF STATE RULEMAKING

HB 593 STEVE VICK
WRITTEN AUTHORIZATION TO WITHHOLD WAGES
FOR POLITICAL ACTIVITY

SB 1 DUANE GRIMES
REVISE EMPLOYER IMMUNITY LAWS --
REFERENCES - DEFAMATION

SB 98 DALE MAHLUM
REVISE PERMANENT PARTIAL DISABILITY
BENEFITS

SB 141 EMILY STONINGTON
EMPLOYEE ACCESS TO PERSONNEL FILES

SB 284 TOM A BECK
INCREASE GUARANTEED ANNUAL BENEFIT
ADJUSTMENT

SB 308 DAN HARRINGTON
INCREASE PERIOD OF UNEMPLOYMENT
COMPENSATION

SB 402 DEBBIE SHEA
REQUIRE CERTAIN CONTRACTORS PROVIDE
HEALTH INSURANCE POLICY FOR EMPLOYEES

SB 410 SAM KITZENBERG
REVISE BENEFIT ADJUSTMENT DATE FOR
TEACHERS' RETIREMENT COLA

Energy

HB 474 PAUL SLITER

REVISE ENERGY LAWS PERTAINING TO LARGE CUSTOMERS

CHAPTER NUMBER: 577

EFFECTIVE DATE: 7/1/2001

The central energy policy bill from the 2001 Session allows the Public Service Commission (PSC) to designate one or more default suppliers for all electrical customers of a public utility who are not being served by a competitive electricity supplier along with those customers who elect to receive service from the default supplier. The PSC must also establish procedures and terms under which customers may choose an electricity supplier other than the default supplier as of July 1, 2002, and procedures (including cost recovery) for customers who chose an alternative electricity supplier and wish to return to the default supplier.

HB 474 allows all school districts to receive electricity from the default supplier or to choose to go into the open market. HB 474 also extends the Universal Systems Benefits Program through 2005, extends usage to irrigated agriculture, creates the Montana Power Authority, and promotes additional electrical generation through a loan program from the Board of Investments. The PSC is to allow full supply cost recovery for the default supplier.

HB 643 CAROL C JUNEAU

TAX EXEMPTION FOR WIND-GENERATED ELECTRICITY ON RESERVATION - FUNDING

CHAPTER NUMBER: 541

EFFECTIVE DATE: 5/1/2001

HB 643 is designed to provide incentives to foster the development of wind energy generation and transmission facilities for taxpayers who invest in commercial systems of five megawatts or larger on Montana Indian reservations, and who sign employment agreements with the tribal governments providing for training and employment of tribal members in the construction, operation, and maintenance of the system. Under current law, an individual corporation, partnership, or small business corporation that invests \$5,000 or more in commercial wind energy generation property is allowed a credit against individual or corporate income tax equal to 35 percent of eligible costs; the credit may be carried forward seven years. Current law also provides that whenever any federal credit is allowed, the state credit must be reduced by the amount of the federal credit so that the effective credit does not exceed 60 percent of eligible costs.

HB 643 eliminates the requirement that the state reduce its credit, therefore allowing the effective credit to exceed 60 percent of eligible costs, if certain criteria are met. Those criteria are that the wind generation facilities must be located on an Indian reservation in Montana, and the producer must have an employment agreement with the tribal government and offer contracts for five years to sell at least 33 percent of that commercial system's net generating output at cost-based prices for use within the state of Montana. The bill also provides that electrical energy generation facilities are included in the definition of "project" under the economic development bond laws to allow these facilities to be financed under these laws.

HB 645 JEFF MANGAN
IMPLEMENT AN ELECTRICAL ENERGY POOL
CHAPTER NUMBER: 582 EFFECTIVE DATE: 5/5/2001

HB 645 implements an electrical energy pool that allows Montana school districts and other customers to receive reduced-rate electricity from a pool created through conservation efforts of customers. If a customer receiving electrical energy at or below regulated rates reduces its electrical use, the distribution services provider shall assign the electrical energy to the pool, as required by the Public Service Commission.

SB 398 KEN MILLER
TEMPORARY POWER GENERATION FACILITIES -- AIR QUALITY PERMIT
CHAPTER NUMBER: 588 EFFECTIVE DATE: 5/5/2001

SB 398 provides for the operation of temporary power generation units under the air quality permitting laws. The bill allows an applicant for an air quality permit for a temporary power generating unit or units with a total generating capacity of less than 125 megawatts to begin construction as soon as the applicant has received written notice that its application is considered filed. The unit or units, however, may not begin operation until the permit is issued. SB 398 also allows the applicant for a permit for a temporary power generating unit or units with a capacity of less than 10 megawatts to begin construction and operation as soon as the permit is considered filed.

The legislation also stipulates that the temporary power generating units may not violate ambient air quality standards, and that the temporary permit must expire no later than two years from the date that the department received the permit application and must require removal of the temporary power generating unit or units unless an air quality permit for permanent operation has been issued.

SB 506 JOHN COBB
ENCOURAGE ALTERNATIVE ENERGY AND ELECTRICAL GENERATION
CHAPTER NUMBER: 591 EFFECTIVE DATE: 7/1/2001

SB 506 encourages the development of alternative renewable energy systems by providing property tax exemptions for machinery and equipment used in qualifying generation facilities, extending and increasing tax credits for alternative energy systems, and increasing the tax credit for capital expenditures for investments in energy conservation. The bill also allows cities and towns to create special improvement districts for the purchase, maintenance, and management of alternative energy production facilities.

Machinery and equipment (class 8 property) used in electrical generation facilities, powered by an alternative renewable energy source and having an electrical energy capacity of less than one megawatt, is exempt from taxation for five years after the generation of electricity begins. Machinery and equipment used in electrical generation facilities, powered by an alternative renewable energy source and having an electrical energy capacity of greater than one megawatt, is permanently exempt from taxation. The property tax reduction for new and/or expanding industry applies when the industry produces electrical energy in an amount of one megawatt or more from an alternative renewable energy source. In the first five years after a construction permit is issued, qualified improvements or modernized processes of new and expanding industry is taxed at 50 percent of their taxable value. The taxable percentage is then increased by equal percentages until the full taxable value is reached by the 10th year.

SB 521 STEVE DOHERTY
REVISE GOVERNOR'S EMERGENCY POWERS -- ENERGY EMERGENCY
CHAPTER NUMBER: 593 EFFECTIVE DATE: 5/5/2001

SB 521 generally revises the energy emergency powers of the governor. The bill includes the following in the definition of emergency: "a price of energy that will result in the curtailment of essential services or production of essential goods or the disruption of significant sectors of the economy unless action is taken to conserve or limit the use of the energy form involved and the allocation of available energy supplies among users or to increase the available supply of energy." SB 521 also expands the definition of an "energy supply alert" to include the prohibitive price of energy as a concern.

Failed Legislation — Energy

HB 638 KIM GILLAN
DEVELOP STATE ELECTRICAL
ENERGY POLICY AND PLAN

SB 243 ROYAL JOHNSON
PROVIDE STABILITY FOR FUTURE
ELECTRIC RATES

SB 272 KEN TOOLE
REVISE UNIVERSAL SYSTEM BENEFITS CHARGE

SB 475 STEVE DOHERTY
PROHIBIT UNFAIR ELECTRICITY PROFITS

SB 503 KEN TOOLE
REFERENDUM ALLOWING ISSUANCE OF BONDS
TO ACQUIRE GENERATING FACILITIES

SB 515 MIKE TAYLOR
ESTABLISH A MONTANA POWER AUTHORITY

Safety

HB 434 CLARICE SCHRUMPF
SEXUAL OFFENDER RESIDENCY RESTRICTIONS
CHAPTER NUMBER: 390 EFFECTIVE DATE: 4/28/2001

A judge sentencing a third level offender for a conviction of a sexual offense involving a minor, shall impose restrictions on the offender's residency in the proximity of a public or private elementary or high school, preschool, licensed day care center, church, or park maintained by a city town or county.

HB 510 BOB LAWSON
PROVIDE GASTROSTOMY OR JEJUNOSTOMY TUBE FEEDING NOT NURSING SCOPE OF PRACTICE
CHAPTER NUMBER: 454 EFFECTIVE DATE: 4/30/2001

HB 510 revises the Nurse Practices Act and provides that tube feeding, when done by certain persons, is not within the exclusive scope of the practice of nursing. This revision to the law allows tube feeding by a parent, guardian, foster parent, surrogate parent, other family member, or other individual, regardless of compensation, who is authorized and trained by the person receiving the nutrition or by the person's parent, guardian, foster parent, surrogate parent, or other adult family member. This provision applies to nutrition inclusive of supplements and medications. The exemption from the Nurse Practices Act does not apply to licensed facilities that provide skilled nursing care.

HJ 37 JEFF PATTISON
STUDY BICYCLE SAFETY RE HIGHWAY PLANNING, DESIGN, AND USE; DRIVER ED./LICENSING
CHAPTER NUMBER: N/A EFFECTIVE DATE: N/A

HJ 37 requests that the Legislative Council designate an interim committee that would investigate the planning, design and construction criteria and processes the Department of Transportation follows in regard to accommodating bicycle traffic on Montana highways and other high-volume thoroughfares. The committee would also investigate the education and training programs that focus on bicycle and other traffic safety issues employed in elementary and secondary education, including driver education courses.

SB 32 DEBBIE SHEA
AUTHORIZE SAFETY RECOMMENDATION TO EMPLOYER FOR SAFETY CULTURE ACT VIOLATIONS
CHAPTER NUMBER: 58 EFFECTIVE DATE: 7/1/2001

SB 32 authorizes the Department of Labor and Industry to issue a safety recommendation to an employer who fails to comply with the provisions of the Montana Safety Culture Act or with administrative rules adopted to implement the act.

SB 50 MIGNON WATERMAN**SMOKE FREE STATE BUILDINGS****CHAPTER NUMBER: 271****EFFECTIVE DATE: 4/20/2001**

SB 50 provides that all state owned buildings and portions of buildings leased by the state be smoke free. For state buildings, it is effective on passage. For buildings leased by the state, it is effective as soon as possible, but no later than July 1, 2001.

Failed Legislation — Safety**HB 322 GARY MATTHEWS**

LOADING/UNLOADING ZONE FOR SCHOOL
BUSES AT SPECIAL SCHOOL EVENTS

HB 522 GAIL GUTSCHE

PROGRAM TO ESTABLISH SAFE
ROUTES TO SCHOOLS

HB 403 KIM GILLAN

RESTRICTED DRIVER'S LICENSE FOR MINORS

SB 481 DALE BERRY

ENHANCE LOCAL GOVERNMENT AUTHORITY TO
REGULATE YOUTH ACCESS TO TOBACCO

HB 431 BRAD NEWMAN

CRIME TO POSSESS OR FOR PARENT TO ALLOW
MINOR TO POSSESS WEAPON ON SCHOOL
GROUND

School Finance

HB 24 RON ERICKSON
REVISE DEBT LIMITS OF PUBLIC SCHOOLS
CHAPTER NUMBER: 10 EFFECTIVE DATE: 7/1/2001

Beginning July 1, 2001, the maximum amount for which a school district may become indebted is based on the current taxable value of the property subject to taxation. HB 24 deletes the “add backs” for personal property, electrical generation property, and telecommunications property that were formerly in the district tax base.

HB 37 JOHN WITT
REVISE MILL LEVY CERTIFICATION
CHAPTER NUMBER: 26 EFFECTIVE DATE: 7/1/2001

HB 37 deletes the requirement that the Department of Revenue (DOR) provide each taxing authority with a “certified millage rate.” The certified millage rate is the number of mills that provides the same property tax revenue for each taxing authority as was levied in the previous year. HB 37 also repeals sections of statute that require public notice and a hearing if the district proposes to exceed the certified millage rate.

The statute, as amended, requires the DOR to certify the value of newly taxable property, as defined in 15-10-420(3), MCA to each school district by the second Monday in July along with the total taxable valuation of the district.

HB 108 MARK NOENNIG
SCHOOL DISTRICT COOPERATIVE PURCHASING
CHAPTER NUMBER: 75 EFFECTIVE DATE: 3/19/2001

HB 108 authorizes a school district to enter into a cooperative purchasing contract with one or more other districts for the procurement of supplies and services. The bill establishes bidding and advertisement requirements for a cooperative purchasing contract and allows for the rejection of all bids.

HB 110 MARK NOENNIG
ALLOW SCHOOL DISTRICTS TO INVEST ENDOWMENTS UNDER UNIFORM MANAGEMENT PRACTICES
CHAPTER NUMBER: 76 EFFECTIVE DATE: 7/1/2001

HB 110 stipulates that unless the conditions of the endowment instrument require an immediate disbursement, money deposited in the endowment fund must be invested by the trustees according to the provisions of the Uniform Management of Institutional Funds Act (Title 72, Chapter 30, MCA).

HB 121 DOUGLAS MOOD
INCREASE PER-ANB AND BASIC ENTITLEMENTS
CHAPTER NUMBER: 556 EFFECTIVE DATE: 5/2/2001

School district general fund budget limitations are determined by the basic entitlement provided to each school district and the per-ANB entitlement provided to each district based on the number of students enrolled in the district. HB 121 increases the basic and per-ANB entitlements by 1.88 percent in school fiscal year 2002 and by another 1.88 percent in FY 2003. The entitlements for FY 2002 and FY 2003 are as follows:

	<i>FY 2002</i>	<i>FY 2003</i>
Basic Entitlement – Elementary	\$18,889	\$19,244
Basic Entitlement – High School	\$209,873	\$213,819
Per-ANB Entitlement – Elementary	\$3,834	\$3,906
Per-ANB Entitlement – High School	\$5,109	\$5,205

The entitlement increases for FY 2003 are contingent on SB 495 not being enjoined or declared unconstitutional prior to April 1, 2002. If SB 495 is enjoined or declared unconstitutional prior to April 1, 2002, the basic and per-ANB entitlements will be increased by only 0.79 percent in school fiscal year 2003. The funding for HB 121 is contained in HB 2, the general appropriations bill.

HB 124 BOB STORY
REVISE LOCAL GOVERNMENT FUNDING
CHAPTER NUMBER: 574 EFFECTIVE DATE: 7/1/2001

HB 124 is referred to as the “Big Bill” of the 2001 legislative session. HB 124 has 257 sections; the summary below is limited to those sections that affect K-12 education.

School district block grants to replace certain non-levy revenues

HB 124 eliminates the allocation to school districts of the following five, non-levy revenue sources:

- Motor vehicle fees and taxes
- Corporate license taxes paid by financial institutions
- Aeronautics fees
- State land payments in lieu of taxes
- SB 184 property reimbursements

These revenue sources will be replaced — beginning in FY 2002 — by a school district block grant. With the exception of vehicle taxes and fees, the Office of Public Instruction (OPI) will use the amount actually received by a district in FY 2001 from the sources listed above in its calculation of each district’s block grant for school fiscal years 2002 and 2003. For vehicle taxes and fees, OPI will use 93.4 percent of the amount received in FY 2001 in calculating the block grant for FY 2002. Beginning in FY 2004, the (two-year) average amount of the block grants in FY 2002 and FY 2003 will be increased by 0.76 percent in each succeeding fiscal year.

The school district block grant is fully funded in FY 2002. If the biennial appropriation for the block grants is insufficient to fully fund the grants in FY 2003, OPI will prorate the block grants to meet the remaining appropriation. School districts will make up any shortfalls through their property tax levies or other district revenues that might be available.

The block grants will be distributed to districts by OPI in November (70% distribution) and May (30% distribution). Districts must anticipate these block grant payments when computing the property tax requirements to fund their budgets.

HB 124 does not eliminate the distribution of HB 20 (L. 1991) and SB 417 (L. 1995) property tax reimbursements to school districts. These distributions will continue to be made in November and May by the Department of Revenue.

The appropriations in HB 124 include:

	BLOCK GRANTS		
	School District	County Retirement	County Transportation
FY 2002	\$114,394,755	\$10,920,239	\$1,814,759
FY 2003	(over 2 years)	\$11,003,234	\$1,828,551

The legislation requires the governor to include the appropriation for school district block grants in the present law base for the 2003 legislature. It also requires that the amount of \$7,447,018 be reserved for county retirement and transportation in FY 2004 and that \$4,812,299 be reserved for FY 2005.

County retirement and county transportation block grants

The county wide school funds will no longer receive allocations of motor vehicle fees and taxes, corporate license taxes paid by financial institutions, aeronautics fees, state land payments in lieu of taxes, or SB 184 property reimbursements. The amounts of the block grants for each county's retirement and transportation funds are listed in the Sections 245 and 246 of HB 124.

The block grants will be distributed to counties by OPI in November (50% distribution) and May (50% distribution). County superintendents must anticipate these block grant payments when computing the property tax requirements for the county retirement and transportation funds. Beginning in FY 2004, the (two-year) average amount of the block grants in FY 2002 and FY 2003 will be increased by 0.76 percent in each succeeding fiscal year.

Property tax limitations under 15-10-420, MCA

For those funds that are subject to the mill levy limitations of 15-10-420, MCA, a governmental entity may impose a mill levy to generate the amount of property taxes assessed in the prior year plus an inflationary adjustment equal to one-half of the average rate of inflation for the prior three years. The Department of Revenue will calculate the rate to be used for the inflationary adjustment. When a governmental entity calculates its mill levy limitation, it may increase the number of mills to account for a decrease in property tax reimbursements. The inflationary adjustment may be applied to the ad valorem taxes, but not the reimbursements.

Section 15-10-420, MCA as amended specifically states that the provisions of the mill levy limitation do not prevent or restrict a judgment levy, a levy to repay taxes paid under protest, or an emergency levy for the destruction or impairment of school property.

Tax collections may be increased due to growth in the property tax base. Newly taxable property includes:

- Annexation of real property and improvements into a taxing unit;
- Construction, expansion, or remodeling of improvements;
- Transfer of property into a taxing unit;

Subdivision of real property;
Transfer of property from tax-exempt to taxable status; and
Incremental taxable value of property released from a tax increment financing (TIF) district.

The maximum number of mills is calculated for a fund based on the current year's taxable value less the current year's newly taxable property. The maximum mill levy is then applied to the newly taxable property to generate new revenue for the governmental entity.

Coordination with school funding study

HB 124 requires that the school funding study (HB 625) must include recommendations for retaining or repealing the school district and county wide retirement and transportation block grants.

HB 134 TOM FACEY
REVISE VOCATIONAL AND TECHNICAL EDUCATION FUNDING
CHAPTER NUMBER: 133 EFFECTIVE DATE: 7/1/2001

The terminology for "vocational" programs is changed to "career and vocational/technical education" to bring it more in line with state and national use. Also revised is the funding distribution formula for secondary career and vocational/technical education funds based on weighted factors, including:

K-12 career and vocational/technical education enrollment;
Approved career and technical student organizations;
Field supervision of students beyond the school year; and
District expenditures related to the career and vocational/technical education programs.

HB 160 JOAN ANDERSEN
REVISE SPECIAL EDUCATION FUNDING ALLOCATIONS
CHAPTER NUMBER: 145 EFFECTIVE DATE: 7/1/2001

HB 160 revises the state special education funding formula by establishing fixed proportions in the distribution of state funds for block grants, reimbursement for disproportionate costs, and funding for special education cooperatives. Of the approximately \$34 million of state monies appropriated for special education:

52.5 percent will be distributed through instructional block grants;
17.5 percent will be distributed through related services block grants;
25 percent will be distributed through reimbursement to districts; and
5 percent will be distributed for special education cooperatives.

HB 160 revises the procedures for determining the block grants in order to stabilize and make more predictable a district's funding level from one year to the next. The bill also includes a requirement that districts eligible for reimbursement receive no less than 40 percent reimbursement on eligible expenditures. In the past, districts were eligible for a state reimbursement for any special education expenditures that were 10 percent above a minimum amount to avoid reversions. However, the level of district expenditures eligible for reimbursement exceeded the state appropriation to such an extent that the appropriation was pro-rated and districts only received 37 percent of the amount for which they were eligible.

Under HB 160, the threshold percentage for reimbursing districts “floats” in order to ensure that districts eligible for reimbursement receive no less than 40 percent reimbursement on eligible expenditures. While the threshold percentage will be higher than 10 percent threshold that existed in the past, the state dollars should not need to be prorated among districts as they were before. The purpose of this floating percentage is to ensure that amounts distributed through reimbursement equal 25 percent of appropriations. For fiscal year 2002, OPI estimates that a district will be eligible for reimbursement if its special education expenditures are more than 23 percent above the minimum amount to avoid reversions.

HB 164 ALAN OLSON
SCHOOL GENERAL FUND BUDGET LIMITATIONS
CHAPTER NUMBER: 146 EFFECTIVE DATE: 7/1/2001

HB 164 eliminates the 4 percent growth limitation for a school district that adopts a general fund budget that is greater than the BASE budget but does not exceed the maximum general fund budget. The affect of removing the growth limitation is to allow a school district to freely adjust its budget within the BASE and maximum budget range. Local voters must approve any tax increases necessary to fund the increases in the over-BASE portion of the general fund budget.

HB 179 TOM DELL
VOTER MILL LEVY ADVISORY LANGUAGE
CHAPTER NUMBER: 495 EFFECTIVE DATE: 10/1/2001

(See *Elections* Section, page 12.)

HB 247 DAVE LEWIS
PHASE-IN REDUCTION OF FEES IN LIEU OF TAX FOR HEAVY TRUCKS
CHAPTER NUMBER: 500 EFFECTIVE DATE: 1/1/2002

HB 247 reduces by 50 percent the fees in lieu of property tax for buses, motor vehicles having a rated capacity of more than 1 ton, and truck tractors. The fee reduction is phased-in beginning on January 1, 2002, and completed by January 1, 2005. While HB 247 contains a mechanism to reimburse schools and local governments for revenue losses related to the fee reduction, the reimbursements will not be needed given the school district block grants created in HB 124.

HB 249 JESSE LASLOVICH
SCHOOL DISTRICT TO HOLD FINAL BUDGET MEETING ON OR BEFORE AUGUST 15
CHAPTER NUMBER: 376 EFFECTIVE DATE: 4/26/2001

On or before August 15, on a date, time and place stated in a public notice, the trustees of each school district shall meet to consider all budget information and any attachments required by law. The trustees may continue the meeting from day to day but shall adopt the final budget for the district and determine the amounts to be raised by tax levies for the district not later than the fourth Monday in August and before the fixing of the tax levies for each district. The notice of the final budget meeting must be published between July 1 and August 4. Upon approval, the trustees shall deliver the adopted budget, including the amounts to be raised by taxes, to the county superintendent of schools within five days of passage.

HB 265 TOM FACEY**TUITION FREE CLASSES FOR CERTAIN HIGH SCHOOL STUDENTS AT VOCATIONAL COLLEGES****CHAPTER NUMBER: 377 EFFECTIVE DATE: 7/1/2001**

HB 265 allows local school districts to enter into interlocal cooperative agreements with a unit of the Montana University System, public community college and/or tribal college that would allow enrolled 11th and 12th grade students to attend and earn credit for classes not available through the local school district. Tuition and fees, if assessed, will be set forth in the interlocal agreement.

HB 268 RICK RIPLEY**INCREASE SCHOOL DISTRICT BIDDING REQUIREMENTS TO \$25,000****CHAPTER NUMBER: 103 EFFECTIVE DATE: 10/1/2001**

HB 268 increases the bidding requirement for schools from the current \$15,000 to \$25,000. Whenever the estimated cost of any building, furnishing, repairing, or other work done for the benefit of the district or the cost of supplies purchased for the district exceeds \$25,000, the work done or the purchase made must be by contract and each contract must be let to the lowest responsible bidder after advertisement for bids.

HB 358 KEITH BALES**ALLOW OPENING OR REOPENING OF SCHOOL IN MID-YEAR****CHAPTER NUMBER: 105 EFFECTIVE DATE: 7/1/2001**

HB 358 revises the procedures for opening or reopening an elementary school by lowering the required ANB from five to two and allowing the trustees to open or reopen the school mid-year if the school is classified as isolated.

HB 377 ROGER SOMERVILLE**REVISE QUALIFIED ENDOWMENT TAX CREDIT -- 6-YEAR EXTENSION****CHAPTER NUMBER: 226 EFFECTIVE DATE: 10/1/2001**

HB 377 revises the tax credit for charitable giving, which results in a decrease of \$5.5 million to the state general fund in FY 2003.

HB 488 MERLIN WOLERY**CONSOLIDATED DISTRICTS TO KEEP BASIC ENTITLEMENTS FOR 6 YEARS****CHAPTER NUMBER: 252 EFFECTIVE DATE: 7/1/2001**

Under current law whenever two or more elementary, high school, or K-12 districts consolidate or annex, the ANB and the basic entitlements of the component districts are calculated separately for a period of three years following the consolidation or annexation. HB 488 allows the combined district to retain a percentage of the separate basic entitlements for three additional years as follows:

- (A) 75 percent of the basic entitlements for the fourth year;
- (B) 50 percent of the basic entitlements for the fifth year; and
- (C) 25 percent of the basic entitlements for the sixth year.

HB 600 SYLVIA BOOKOUT-REINICKE
TAX EXEMPTION FOR ENERGY GENERATING EQUIPMENT FOR A BUSINESS
CHAPTER NUMBER: 579 EFFECTIVE DATE: 5/5/2001

HB 600 exempts from taxation noncommercial electrical generation machinery and equipment that are used by a business owner. In order to receive the exemption, the business owner may sell no more than 30 percent of the electrical energy produced to another entity. If the business owner sells a portion of the electrical energy production to another entity, the tax exemption applies only to the portion of electrical energy used by the business owner. HB 600 applies to property tax years beginning after December 31, 2000. The tax exemption terminates on December 31, 2004.

HB 625 JOHN MUSGROVE
INTERIM STUDY OF SCHOOL FUNDING
CHAPTER NUMBER: 580 EFFECTIVE DATE: 5/5/2001

The governor and the state superintendent of public instruction shall conduct a study of funding K-12 public schools. The topics include:

- Factors that are used to compute budget authority for schools;
- Allocation of funding to adequately fund elementary, middle school, seventh and eighth grade and high school programs;
- Determining if a statewide salary schedule for school staff is possible under Montana's local control provisions;
- Determining if budget computations are prohibiting or discouraging consolidation;
- Determining the adequacy and equity of school district access to funds for school facilities;
- Determining the adequacy and equity of current funding for pupil transportation;
- Determining if the disparity in local tax effort among school district taxpayers is appropriate;
- Determining whether the current allocation of state funds to public schools is equitable;
- Analyzing appropriate means for school districts to calculate ANB for nontraditional, part-time, or distance-learning students;
- Determining if there are other issues affecting the equity of school funding in Montana;
- Analyzing school district structures and determining if reducing the number of districts could improve efficiency in school operations and increase resources for classrooms; and
- Determining if the existence of 25 school funds unreasonably restricts local decision makers.

The governor, after consultation with the superintendent of public instruction, shall submit a preliminary study report by December 31, 2001 to the Education Interim Committee. The interim committee will hold hearings and take public comment on the preliminary report. By August 1, 2002, the interim committee will provide to the governor a summary of the hearings and recommendations for changes to the report. The committee will also, if appropriate, prepare legislation for consideration by the 2003 legislature. The governor shall issue a final report and prepare legislation as well.

HB 625 authorizes the governor to appoint an advisory council to assist with the study. The Office of Public Instruction is appropriated \$10,000 (general fund) for its role in the study. The Legislative Services Division is also appropriated \$10,000 (general fund) for the expenses of the Education Interim Committee.

HJ 41 JOAN ANDERSEN
STUDY TRANSFER OF TERRITORY BETWEEN SCHOOL DISTRICTS
CHAPTER NUMBER: N/A EFFECTIVE DATE: N/A

In December 2000, the Montana Supreme Court ruled that because the Montana Legislature had not provided county superintendents with specific criteria to be weighed when deciding to grant or deny a territory transfer petition, the state's statutes concerning territory transfer constituted an unconstitutional delegation of legislative power. SB 111 was introduced in 2001 to address the issue of territory transfers; however, the bill did not make it through the legislative process. HJ 41 requests that the Legislative Council designate an appropriate interim committee or direct sufficient staff resources to conduct a study of the laws governing the transfer of school district territory from one district to another in order to develop a procedure that addresses the constitutional issues raised by the Montana Supreme Court.

The study must address the following issues: (1) the procedure for asking for a transfer of territory, (2) the requirements to be met before a transfer can be considered, (3) the role of the boards of trustees involved in the territory transfer, (4) the role of the county superintendent in a territory transfer, (5) the criteria to be used in deciding if a territory transfer should take place, and (6) an appeals process. The final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, will be reported to the 58th Legislature in 2003.

SB 65 ALVIN ELLIS
REVISE OUT OF DISTRICT TUITION LAWS
CHAPTER NUMBER: 464 EFFECTIVE DATE: 7/1/2001

SB 65 makes significant changes to the laws that govern student attendance in a school outside their resident district. The bill:

- Eliminates the state's payment of tuition for most students who must cross a county line to attend school outside their resident district;

- Effective FY 2003, allows districts to use regular education tuition to fund the district's over-BASE portion of the general fund budget, rather than the BASE budget. Tuition received in FY 2002 for non-resident students that attended the district in FY 2001 must still be budgeted to fund the district's FY 2002 BASE budget, but tuition charged for non-resident students that attend the district in FY 2002 may be budgeted to fund the over-BASE portion of the budget in FY 2003;

- Gives districts greater flexibility in granting tuition waivers. SB 65 defines three "entities" that may be required to pay tuition – parents/guardians, other districts, and the State. The trustees can elect to charge tuition for all non-resident students placed in their district by one entity, such as the State, and not charge for non-resident students placed in the district by another entity, such as parents/guardians. All members of an "entity" must be charged equally. For example, if one parent is required to pay tuition, all parents must be required to pay;

- Changes some of the conditions for when acceptance of a non-resident student is mandatory, versus discretionary;

- Lowers the maximum tuition rate that can be charged for a non-resident student; and

- In some cases, changes the entity responsible for paying a child's tuition.

The following grid outlines tuition under SB 64 and reflects many of the changes made by this legislation:

UNLESS WAIVED BY THE RECEIVING DISTRICT, THE STUDENT'S TUITION IS PAID BY:	THE RECEIVING DISTRICT'S ACCEPTANCE OF THE NON-RESIDENT STUDENT IS "MANDATORY" ¹ WHEN:	THE RECEIVING DISTRICT'S ACCEPTANCE OF THE NON-RESIDENT STUDENT IS "DISCRETIONARY" WHEN:	THE MAXIMUM TUITION RATE THAT CAN BE CHARGED FOR A MONTANA-RESIDENT STUDENT:
PARENT/GUARDIAN	The child is a member of a family that is required to send another child outside the elementary district to attend high school <i>and</i> the child lives more than three miles from an elementary school in their resident district.	The child wants to attend school in another district and none of the "mandatory" conditions are met.	The max. tuition rate is established by law as 20 percent of the per-ANB rate used to calculate direct state aid. For attendance in FY 2002, the maximum rate is elementary: \$767 and high school \$1,022.
RESIDENT DISTRICT (Tuition is paid out of the district's Tuition Fund, funded from a non-voted district levy.)	The child lives closer to the school they want to attend <i>and</i> more than three miles away from their own school <i>and</i> the resident district does not provide a transportation program (i.e. neither bus service nor parent contracts), or The child lives in a location where, due to a <i>geographic condition</i> ² it's impractical to attend their own school.	The resident district places students in an adjacent district due to crowding or to attend a program not offered by the resident district, such as kindergarten, a 7-8 grade program, or special education services under an IEP.	If the child has <i>no disability</i> , the maximum rate is 20 percent of the per-ANB rate used to calculate direct state aid. If the child has a <i>disability</i> , the maximum tuition rate is set by OPI rule.
STATE AGENCY OR COURT (Tuition is paid by the county superintendent out of the county 55 mill levy collections.)	The child is under the protective care of a state agency or has been adjudicated to be a youth in need of intervention or delinquent, or The child is placed in foster care or a group home licensed by the State.		If the child has <i>no disability</i> , the maximum rate is 20 percent of the per-ANB rate used to calculate direct state aid. If the child has a <i>disability</i> , the maximum tuition rate is set by OPI rule.

¹ Unless the child has a disability, the trustees may refuse attendance to a non-resident student if, due to crowding, accreditation of the school would be affected.

² The existence of a geographic barrier is determined by the County Transportation Committee and is defined in SB 65 as:

- (a) The length of time for an elementary student's bus trip one-way is more than one hour,
- (b) Distance traveled is greater than 40 miles one-way from home to school on a dirt road, or more than 60 miles one-way on a paved road, or
- (c) The condition of the road or existence of a barrier (i.e., river, mountain pass) causes a hazard or prohibits safe travel between home and school.

The Transportation Committee's decision is subject to appeal to the state superintendent. The state superintendent may review and rule upon the committee's decision without an appeal being filed.

SB 94 DEBBIE SHEA**INCLUDE 40% OF SPECIAL EDUCATION ALLOWABLE COST PAYMENT IN BASE BUDGET****CHAPTER NUMBER: 231 EFFECTIVE DATE: 7/1/2001**

SB 94 requires that an additional 75 percent of the special education allowable cost payment be included in a district's maximum budget, instead of 53 percent. This provision does not affect the amount of state funding a district receives for special education, but will increase the district's maximum budget limitation. For FY 2003, the maximum will include from 75 to 100 percent of the state allowable cost payment, depending on a district's actual expenditures for special education in the year two years prior compared to the amount of state funding received for that year.

SB 117 JON TESTER**EXEMPT ALL SCHOOL DISTRICT LEVIES FROM MILL LIMIT****CHAPTER NUMBER: 220 EFFECTIVE DATE: 4/11/2001**

SB 117 exempts school district levies from the property tax limitations imposed by 15-10-420, MCA. SB 117 and HB 124 both amended 20-7-705, MCA regarding the adult education fund. When the amendments from these two bills are combined, the adult education levy is a permissive levy without a limitation on the number of mills that may be levied for the fund.

SB 130 FRED THOMAS**PUBLIC PROCEDURE FOR TRANSFERRING SCHOOL PROPERTY****CHAPTER NUMBER: 276 EFFECTIVE DATE: 4/20/2001**

SB 130 amends 20-6-603, MCA concerning the trustees' authority to dispose of district real property. For land that is not granted to or held by the state in trust, the trustees may — upon approval by the electorate — accept as partial or total consideration for the exchange of land a binding commitment by a public or private entity that the property will be used to benefit the school district.

SB 144 LINDA NELSON**TRANSFER COUNTY COLLECTIONS REPORT AND OTHER DUTIES TO DEPARTMENT OF REVENUE****CHAPTER NUMBER: 257 EFFECTIVE DATE: 7/1/2001**

SB 144 transfers certain financial responsibilities from the Department of Administration to the Department of Revenue, including the responsibility for receiving and processing monthly county collection reports.

SB 175 BILL GLASER**REVISE LIGHT VEHICLE REGISTRATION FEES & OTHER MOTOR VEHICLE LAWS****CHAPTER NUMBER: 191 EFFECTIVE DATE: 4/3/2001**

In November 2000, the Montana voters approved amendments to the laws governing motor vehicle fees. SB 175 is a "clean-up" bill, which clarifies and coordinates existing sections of statute with the provisions approved by the voters.

SB 182 JOHN COBB
REVISE INTERLOCAL AGREEMENTS TO INCLUDE SHARED SCHOOL POSITIONS
CHAPTER NUMBER: 318 EFFECTIVE DATE: 4/21/2001

SB 182 expands the interlocal cooperation act to allow school districts to share teachers, specialists, superintendents, or other professional persons licensed under Title 37, MCA. Whenever the trustees of two or more school districts enter into an interlocal agreement to cooperatively share the employment of a teacher or specialist, compensation must be prorated based of the total number of instructional hours expended by the teacher or specialist within each district.

SB 187 JOHN COBB
REVISE AND STANDARDIZE LOCAL GOVERNMENT NOTICE PROVISIONS
CHAPTER NUMBER: 354 EFFECTIVE DATE: 10/1/2001

SB 187 standardizes the public notice provisions for local government units and requires a local government unit to publish two notices prior to a public hearing.

SB 190 ROYAL JOHNSON
REVISE INVESTMENT AUTHORITY OF LOCAL GOVERNMENT AND SELF-INSURANCE POOLS
CHAPTER NUMBER: 355 EFFECTIVE DATE: UPON APPROVAL OF ELECTORATE

If approved by the electorate in November 2002, SB 190 will amend the Constitution to allow a maximum of 25 percent of a local group self insurance program's assets to be invested in private corporate capital stock.

SB 218 DON RYAN
ALLOW INACTIVE TUITION FUNDS TO BE CLOSED; TRANSFERRED INTO MISC. PROGRAMS FUND
CHAPTER NUMBER: 356 EFFECTIVE DATE: 4/23/2001

If a district's tuition fund does not have a cash or fund balance deficit and the trustees determine the fund is inactive and will no longer be used, they may close the tuition fund by transferring any cash and account balances to the district's miscellaneous programs fund. Funds transferred from the tuition fund must be accounted for separately within the miscellaneous programs fund and may be expended at the discretion of the trustees for school purposes.

SB 260 DALE MAHLUM
REVISE PERMISSIBLE INVESTMENTS OF FUNDS BY SCHOOL DISTRICTS
CHAPTER NUMBER: 205 EFFECTIVE DATE: 4/5/2001

The trustees of a school district may establish investment accounts and transfer cash into the accounts from any of its budgeted or nonbudgeted funds. Permissible investments are listed in 20-9-213, MCA. A separate account is required for each fund from which transfers are made. The principal, and interest earned on the principal, is allocated to the fund from which the deposit was originally made.

If certain conditions are met, the district may either:

- (a) establish and use the account as a nonspending account, returning sufficient funds to the county treasurer in time to pay all claims presented against the applicable fund; or
- (b) establish a subsidiary checking account and make expenditures from the investment account, providing that all transactions are accounted for and reported as required by state school accounting policies.

A district that chooses to establish a school district investment account enters into a written agreement with the county treasurer, establishing procedures and reporting dates. The agreement is binding upon the district and the county treasurer for a period of not less than five years. An agreement to establish an account for fiscal year 2002 must be entered into no later than October 1, 2001. A district may request that the Office of Public Instruction send its BASE aid payment directly to the district's investment account. The county treasurer will continue to collect other monies of the district.

SB 265 DON HARGROVE
AUTHORIZE TEMPORARY COUNTY MILL LEVY REDUCTIONS
CHAPTER NUMBER: 361 EFFECTIVE DATE: 10/1/2001

SB 265 allows local governmental entities to impose less than the maximum number of mills authorized and to carry forward the authority to impose the maximum number of mills in a subsequent tax year. If a local governmental entity imposes less than the maximum number of mills, it may carry forward the authority to impose the number of mills equal to the difference between the actual number of mills imposed and the maximum number of mills authorized to be imposed. The mill authority carried forward can be imposed in subsequent tax years. This legislation applies to mill levies that are restricted under 15-10-420, MCA.

SB 313 FRED THOMAS
TECHNOLOGY ACQUISITION AND DEPRECIATION FUND
CHAPTER NUMBER: 474 EFFECTIVE DATE: 4/30/2001

SB 313 makes the Technology Acquisition and Depreciation Fund a budgeted fund. In addition to any private, local, state, and federal funds received for the purpose of funding technology purchases, districts can budget, contingent upon voter approval of a levy, an amount each fiscal year that does not exceed 20 percent of the original cost of any technological equipment, including computers and computer network access, that is owned by the district. The amount budgeted may not, over time, exceed 150 percent of the original cost of the equipment. The mill levy election is subject to the provisions of HB 179. (See the description for HB 179 in the *Elections* section of this booklet.)

SB 327 STEVE DOHERTY
RESTRICT GOVERNMENT COMPETITION WITH PRIVATE INTERNET SERVICE PROVIDERS
CHAPTER NUMBER: 547 EFFECTIVE DATE: 7/1/2001

State agencies and political subdivisions of the state, including school districts, may not directly or through another agency or political subdivision be an Internet services provider, unless no private Internet services provider is available or the agency or political subdivision provided services prior to July 1, 2001. An agency or political subdivision is encouraged to publish its requirements for Internet services and to use, to the maximum extent possible, private Internet services providers to deliver Internet services to the public.

SB 344 JOHN COBB
INCREASE RATE FOR SCHOOL TRANSPORTATION CONTRACTS
CHAPTER NUMBER: 409 EFFECTIVE DATE: 7/1/2001

The base rate for reimbursement for an individual transportation contract is increased from 21.25¢ to 25¢. The maximum reimbursement for an individual transportation contract and for room and board is increased from \$8 to \$9.25 for the first student and from \$5 to \$6 for each additional student.

SB 390 JOHN COBB
REVISE SCHOOL FINANCE LAWS
CHAPTER NUMBER: 237 EFFECTIVE DATE: 4/13/2001

SB 390 generally revises school finance laws to:

1. Establish a school flexibility program for K-12 public schools. The Montana Legislature appropriated \$5 million in FY 2003 for the state's first "flexibility" payment to schools. There is no flexibility payment to schools in FY 2002.

The state flexibility payment will be distributed to schools as follows:

- 40 percent based on the state's five-year average ANB,
- 20 percent based on the previous year's statewide ANB,
- 15 percent based on the number of schools in the state, and
- 25 percent based on the number of schools with more than 250 students.

Districts will create a new budgeted fund in FY 2003 to receive their first payment. In addition to the state payment to a district's flexibility fund, the trustees may submit a proposition to the qualified electors of the district to approve a levy in an amount not to exceed 25 percent of the district's state flexibility payment.

Authorized expenditures from the district flexibility fund are limited to:

Technological equipment enhancements and expansions considered by the trustees to support enhanced educational programs in the classroom;
Facility expansion and remodeling considered by the trustees to support the delivery of educational programs or the removal and replacement of obsolete facilities;
Supplies and materials considered by the trustees to support the delivery of enhanced educational programs;
Student assessment and evaluation;
Development of curriculum materials;
Training for classroom staff considered by the trustees to support the delivery of enhanced educational programs;
Purchase, lease, or rental of real property that must be used to provide free or reduced price housing for classroom teachers;
Salaries, benefits, bonuses, and other incentives for the recruitment and retention of classroom teachers and other certified staff, subject to collective bargaining when applicable; or
Increases in energy costs caused by an increase in energy rates from the rates paid by the district in FY 2001 or from increased use of energy as a result of the expansion of facilities, equipment, or other resources of the district.

If a district's ANB for the current fiscal year is less than its five-year average ANB, the district's flexibility fund may also be used to phase in spending reductions necessary because of the decline in ANB.

2. Authorize a school district whose current year general fund budget exceeds the ensuing year's maximum general fund budget to adopt a general fund budget for the ensuing year up to the current year's general fund budget for a maximum of five years. This provision only applies to districts with an ANB decline of less than 30 percent; budget limits are not changed for districts that have always been disequalized (since the inception of HB 667) and districts that are disequalized with 30 percent or greater decline in ANB. The trustees must adopt a plan to reach the district's maximum general fund budget by the end of the five-year period.
3. Expand the building reserve fund to include a levy for transition costs. The trustees may submit a proposition to the electors of the district for a levy to provide funding for transition costs incurred when the trustees:

- open a new school;
- close a school;
- replace a school building; or
- consolidate with or annex another district.

If the levy is for costs associated with opening or closing a school or replacing a school building, the total amount of the levy may not exceed the number of years specified in the proposition times the greater of 5 percent of the district's maximum general fund budget for the current year or \$250 per ANB for the current year. If the levy is for a consolidation or annexation, the limitation on the amount levied is calculated using the ANB and the maximum general fund budget for the districts that are being combined and the proposition must be submitted to the qualified electors in the combined district. The levy for transition costs is not considered as outstanding indebtedness for the purpose of calculating a district's debt limitation. The duration of the levy for transition costs may not exceed six years.

4. Clarify that a school district must provide both the minimum number of days and the minimum number of pupil instruction hours required by law in order to receive full state funding.
5. Require elementary and high school boundary changes to be made after the levies for the year are set, so that a school district can count on receiving the tax revenue on which its budget was built.
6. Make the application and approval deadlines for opening or reopening an elementary school consistent with deadlines for opening or reopening a high school.
7. Allow a school district to use the district tuition fund, rather than the general fund, to fund educational fees for youths placed in detention facilities.
8. Extend deadlines leading up to the May 2001 school election.
9. Extend the deadline to June 1 for school districts applying to the Office of Public Instruction for increased ANB anticipated for the next school year. This date corresponds to the deadline for the application to open or reopen a school, which often is the basis for a request for increased ANB.

SB 394 DEBBIE SHEA

ALLOW SCHOOL DISTRICTS TO ENTER INTO AGREEMENTS WITH JOB CORPS PROGRAMS

CHAPTER NUMBER: 462 EFFECTIVE DATE: 7/1/2001

(See *Accreditation/Curriculum* Section, page 2.)

SB 425 BILL GLASER

CLARIFY VOCATIONAL EDUCATION AGENCY LAWS FOR RECEIPT OF FEDERAL FUNDS

CHAPTER NUMBER: 130 EFFECTIVE DATE: 3/26/2001

The Board of Regents (Office of the Commissioner of Higher Education) is designated as the eligible agency for administering the Carl D. Perkins Vocational and Technical Education Act programs in Montana. SB 425 requires the creation of an advisory committee to review the five-year state plan.

SB 433 JIM ELLIOTT

COUNTY REVENUE DISTRIBUTION OF FOREST RESERVE FUNDS

CHAPTER NUMBER: 334 EFFECTIVE DATE: 7/1/2001

In the past, all federal forest reserve funds received by a county have been apportioned two-thirds to the county road fund and one-third to the countywide school funds. SB 433 provides a county, if it elects to receive its full payment of federal forest reserve and Public Law 106-393 funds under the provisions of PL 106-393, with the flexibility to set aside up to 20 percent of its payment to be used in compliance with Public Law 106-393. The remainder of the county's payment must be distributed two-thirds to the county road fund and one-third to the county wide school funds.

SB 436 ALVIN ELLIS

REVISE SCHOOL DISTRICT OPERATING EXPENSE AND PURCHASING LAWS

CHAPTER NUMBER: 480 EFFECTIVE DATE: 7/1/2001

Except as otherwise provided by law, whenever the trustees determine that a fund is inactive and will no longer be used, the trustees may close the fund by transferring cash and other account balances to any other fund of the district, provided the obsolete fund does not have a cash or fund balance deficit. When all bonds and bond interest have been fully paid, all money remaining in the debt service fund and money that may come into the debt service fund from the payment of the delinquent taxes may be transferred to the building reserve fund, the technology acquisition fund, or the general fund of the district. Subsequent use of the funds is limited to constructing, equipping, or enlarging school buildings or purchasing land needed for school purposes in the district.

Unless otherwise restricted by law, transfers may be made from one budgeted fund to another budgeted fund, from one non-budgeted fund to another non-budgeted fund, or between the final budget and a budget amendment. Transfers may not be made with funds approved by the voters or with funds raised by a non-voted levy unless the transfer is within or directly related to the purposes for which the funds were raised.

Unless otherwise authorized by law, transfers to and from the general fund are prohibited. Transfers may not be made with funds restricted by state or federal law unless the transfer is in compliance with any restrictions or conditions.

Before a transfer can occur, the trustees must hold a hearing to accept public comment on the transfer.

SB 443 EDWARD BUTCHER
PROHIBIT PUBLIC RECORD DISPOSAL WITHOUT OFFERING TO PUBLIC
CHAPTER NUMBER: 302 EFFECTIVE DATE: 10/1/2001

SB 443 creates new law concerning public records, including those of a school district. Local government public records more than ten years old may not be destroyed without first being offered to the Montana Historical Society, the state archives, Montana public and private universities and colleges, local historical societies, Montana genealogical groups and the general public. Public notice of at least 180 days is required before records are destroyed. The secretary of state will appoint a volunteer to represent the Montana state genealogical society to serve on the local government records committee; the committee is provided for under 2-6-402, MCA.

SB 445 MIKE TAYLOR
REORGANIZE DEPARTMENT OF COMMERCE
CHAPTER NUMBER: 483 EFFECTIVE DATE: 7/1/2001

SB 445 reassigns certain functions of the Department of Commerce to other state agencies. Economic development functions are transferred to the Governor's Office and the Governor's Office of Economic Development is created.

Most professional and occupational licensing, building code, and weights and measures functions are assigned to the Department of Labor and Industry. The lottery, financial institutions, consumer affairs, board of county printing, and local government audit and assistance functions are assigned to the Department of Administration. The Board of Horseracing is assigned to the Department of Livestock. The proprietary postsecondary educational advisory council is eliminated.

SB 457 DON RYAN
AUTHORIZE USE OF IMPACT AID FOR SCHOOL BONDING
CHAPTER NUMBER: 549 EFFECTIVE DATE: 5/1/2001

A school district may use up to 25 percent of its federal impact aid funds for repayment of school bonds. The district may transfer monies from the impact aid fund to the debt service fund to repay the district's bonds. Any federal impact aid funding remaining in the debt service fund after a district has fully repaid the bond principal and interest must revert to the district's impact aid fund.

SB 493 FRED THOMAS
REVISE LAWS ON ECONOMIC DEVELOPMENT BY REVISING INVESTMENTS
CHAPTER NUMBER: 375 EFFECTIVE DATE: UPON APPROVAL OF THE ELECTORATE

SB 493 submits a proposition to the voters in November 2002 to amend the Montana Constitution (Article VIII, Section 13) to allow a portion of the public school fund and the permanent funds of all other state institutions of learning to be invested in private corporate capital stock. The amendment allows school trust money to be invested by the Board of Investments in accordance with the principles that a prudent expert acting in a fiduciary capacity would use in investing a fund guaranteed against loss or diversion.

SB 494 JOHN COBB
REVISE RETAIL TELECOMMUNICATIONS EXCISE TAX
CHAPTER NUMBER: 484 EFFECTIVE DATE: 4/30/2001

SB 494 clarifies the intent of the retail telecommunications excise tax to make it revenue-neutral as compared to the telephone license tax and property tax provisions that it replaced. It specifies that federal subscriber line charges and installation and activation fees are taxable. It suspends the advanced telecommunications infrastructure tax credit for infrastructure improvements made after June 30, 2001, and before July 1, 2003. The projected fiscal impact is \$1,1496,762 more revenue in FY 2002 and \$2,000,000 more revenue in FY 2003.

SB 495 FRED THOMAS
REVISE STATE LAND LAWS TO INCREASE FUNDING FOR TRUST
CHAPTER NUMBER: 418 EFFECTIVE DATE: 7/1/2001

SB 495 allows the Board of Investments to make a loan from the coal severance tax trust fund to purchase mineral royalties held by the public school fund. The loan proceeds will be placed in the public school permanent fund to earn income that is distributable to school districts. The revenue generated by the mineral royalties will be distributed in three ways: 1) to repay the principal of the loan to the coal tax trust fund; 2) to pay the state general fund for the lost interest income from the coal tax trust fund; and 3) all remaining funds will be placed in a guarantee account in the state special revenue fund to be distributed to school districts.

SB 501 LORENTS GROSFIELD
CLARIFY AND REVISE DETERMINATION OF NEWLY TAXABLE PROPERTY
CHAPTER NUMBER: 419 EFFECTIVE DATE: 4/28/2001

Newly taxable property is redefined by SB 501 to exclude the reclassification of property and any increases in the appraised value of land that was previously valued at 75 percent of the value of improvements on the land.

For centrally assessed property that has transferred ownership and has a market value of \$1 million or more, the Department of Revenue is required to provide taxing authorities with separate statements of the taxable value of the newly taxable portion and the taxable value associated with reappraisal of centrally assessed property that is transferred to a different owner. (The SB 501 amendments to 15-10-420, MCA are made void by HB 124.)

SB 510 COREY STAPLETON
ENCOURAGE LEASING OF CROWN BUTTE EXCHANGE PROPERTY FOR COAL MINING
CHAPTER NUMBER: 485 EFFECTIVE DATE: UPON TRANSFER OF LAND

SB 510 encourages the State Land Board to lease coal lands to be received by Montana as a result of the Crown Butte Land Exchange. The legislation mandates royalties from these leases be distributed to K-12 school districts, institutions of higher learning, and vocational-technical education rather than deposited in the school trust fund. It is estimated if these leases are developed, \$8.3 million per year will be generated to be divided amongst the three beneficiaries. Under current law these coal royalties would be deposited in the public school trust fund. Because they are diverted, the fund will not grow by that amount and there will be an estimated

decrease of \$17.5 million per year from the trust fund for schools by the end of the coal leases. After 14 years, the state will lose more in interest revenue than will be gained by the increased royalties from the development of these coal leases.

SB 519 GLENN ROUSH
REVISE SMALL STRIPPER OIL WELL TAX TRIGGER
CHAPTER NUMBER: 421 EFFECTIVE DATE: 4/28/2001

SB 519 revises the taxation of oil from exempt stripper wells or wells producing less than three barrels of oil a day. It imposes a tax only if the average price per barrel of oil, as reported in the Wall Street Journal for West Texas Intermediate crude oil during a calendar quarter, is more than \$38 dollars a barrel. Under the previous law, stripper wells were taxed at this rate whenever the price for West Texas Intermediate exceeded \$30 dollars a barrel. The result is that in any fiscal year where the price of West Texas Intermediate is between \$30-\$38 dollars a barrel the new law would reduce collections by \$840,000. The price of crude oil is expected to remain under \$30 a barrel through the biennium; therefore no fiscal impact this biennium is expected.

Failed Legislation — School Finance

HB 31 CAROL C JUNEAU

INCREASE K-12 BASE AID

HB 193 FRANK SMITH

INCREASE STUDENT TRANSPORTATION RATES

HB 32 BOB LAWSON

 ADDRESS HIGH SCHOOL DROPOUTS BY
INCREASING AGE FOR ANB

HB 205 CHRISTOPHER HARRIS

 DOLLARS FOR EDUCATION -- CAR RENTAL, REALTY
TRANSFER, BED, AND TOBACCO TAXES

HB 59 RON ERICKSON

CAPITAL COSTS FOR SCHOOLS IN SUBDIVISIONS

HB 250 JOE BALLYEAT

 CLARIFY SCHOOL EQUALIZATION
CLAUSE IN CONSTITUTION

HB 61 RON ERICKSON

 ELIMINATE PHASE OUT OF BUSINESS
EQUIPMENT TAX

HB 277 GAY ANN MASOLO

EDUCATIONAL TRUST FUND

HB 161 MICHELLE LEE

 EXPAND NON-CATEGORICAL OPTION
FOR SPECIAL EDUCATION

HB 367 TOM FACEY

 REVISE ASSESSMENT AND TAXATION OF
NEWLY CONSTRUCTED IMPROVEMENTS

HB 162 HAL JACOBSON

INCREASE PUPIL TRANSPORTATION RATE

HB 416 CAROL C JUNEAU

 INTERLOCAL AGREEMENTS FOR
PROGRAMS FOR DROP-OUTS

HB 163 HAL JACOBSON

 REVISE SCHEDULE FOR SCHOOL
TRANSPORTATION REIMBURSEMENT

HB 425 GAY ANN MASOLO

 MAINTENANCE OF EFFORT FUNDS FOR
EDUCATION FOR TANF PARTICIPANTS

HB 167 DONALD L HEDGES

 EXEMPT CERTAIN ENTITIES FROM UNIVERSAL
SYSTEMS BENEFIT CHARGES

HB 427 ALLEN ROME

 CLARIFY RESPONSIBILITY FOR EDUCATION
COSTS OF YOUTH PLACED IN FACILITY

Failed Legislation — School Finance

HB 428 GARY FORRESTER

REDUCE INCOME TAX RATE FROM 11% TO 7% AND RETAIN FEDERAL DEDUCTIBILITY

HB 483 DAVID WANZENRIED

LIMIT SCHOOL EXPENDITURES FOR ADMINISTRATION AND EXTRACURRICULAR ACTIVITIES

HB 525 DAVE KASTEN

GENERALLY REVISE STATE EXPENDITURE LIMITATIONS

HB 555 JOE BALLYEAT

TAX CREDIT FOR EDUCATION EXPENSES; EXCELLENCE IN TEACHING AWARD PROGRAM

HB 561 TRUDI SCHMIDT

REVISE PERSONAL PROPERTY TAXES

HB 598 JOHN BRUEGGEMAN

GOVERNMENT ACCOUNTABILITY ACT; SCHEDULED TERMINATION OF STATE PROGRAMS

HB 617 JOE BALLYEAT

SIMPLIFY AND REDUCE MONTANA INCOME TAXES

HB 621 MONICA LINDEEN

LOCAL GOVERNMENT REIMBURSEMENT

HB 631 KIM GILLAN

ESTABLISH COAL TAX TRUST TO SUPPORT EDUCATION

HB 632 DOUGLAS MOOD

ADDRESS PRICE FOR COMMERCIAL USERS OF ELECTRICITY

HB 633 GARY FORRESTER

ELIMINATE BUSINESS EQUIPMENT TAX -BLOCK GRANT REIMBURSEMENT TO LOCAL GOVERNMENT

HB 636 DANIEL FUCHS

STATEWIDE SALES TAX REPLACING INCOME TAX

HB 646 GEORGE GOLIE

ENCOURAGE DEVELOPMENT OF GENERATION RESOURCES

HB 649 BRAD NEWMAN

REVISE EDUCATION FUNDING

SB 24 JOHN C BOHLINGER

REVISE BASIC ENTITLEMENT FOR SCHOOL FUNDING

SB 70 BILL GLASER

REVISE K-12 FUNDING BY INCREASING ENTITLEMENTS AND DIRECT STATE AID PERCENTAGE

SB 79 DAN HARRINGTON

PAYMENT OF WAGES AND BENEFITS FOR NONCERTIFIED SCHOOL EMPLOYEES DURING CLOSURE

SB 99 SAM KITZENBERG

STATEWIDE TEACHING SALARY SCHEDULE

SB 101 SAM KITZENBERG

REFERENDUM FOR STATEWIDE TEACHER SALARY SCHEDULE

SB 111 ALVIN ELLIS

REVISE LAW FOR TRANSFER OF PROPERTY BETWEEN SCHOOL DISTRICTS

SB 119 DALE BERRY

INCREASE CIGARETTE TAX AND REVISE DISTRIBUTION

SB 173 ALVIN ELLIS

REVISE AND REFORM INCOME TAXES

SB 174 BILL GLASER

VEHICLE REVENUE DISTRIBUTED BASED ON LOCAL MILL LEVIES

SB 188 JOHN COBB

TRANSFER SCHOOL DISTRICT'S GENERAL FUND BALANCE INTO MISC. PROGRAMS FUND

Failed Legislation — School Finance

SB 193 JOHN COBB

REGENTS AS CARL PERKINS AGENCY

SB 213 BILL GLASER

LOCAL OPTION SALES TAXES AND FEES

SB 231 DUANE GRIMES

REVISE ANB TO INCLUDE PUPILS EDUCATED
VIA DISTANCE LEARNING

SB 232 DALE MAHLUM

LIMIT PROPERTY TAX INCREASES

SB 239 DON RYAN

AMEND BASIC ENTITLEMENT DEFINITION
TO INCREASE THE ENTITLEMENT

SB 255 DON RYAN

PROVIDE FULL ANB FOR SCHOOLS
OFFERING FULL-TIME KINDERGARTEN

SB 307 DAN HARRINGTON

REVISE SCHOOL DISTRICT BUDGET CAP
FOR DECLINING ENROLLMENT

SB 312 JIM ELLIOTT

ESTABLISH ANB USING 5-YEAR AVERAGE

SB 351 JON ELLINGSON

REVISE BUSINESS EQUIPMENT TAX TO
6% WITH FIRST \$25,000 EXEMPT

SB 374 MIKE TAYLOR

CHANGE RATES ON CERTAIN CLASS FOUR
PROPERTY -- RECREATIONAL AND INFLATED
VALUE

SB 439 LORENTS GROSFIELD

REVISE LODGING FACILITY USE TAX

SB 462 ALVIN ELLIS

DELINQUENT PROPERTY TAXES -- INTEREST AND
PENALTY WHEN REVENUE BONDS ISSUED

SB 496 BILL GLASER

TEMPORARILY EXEMPT NEW ENERGY STORAGE
FACILITIES FROM PROPERTY TAXES

SB 498 DON RYAN

IMPOSE VISITOR'S TAX

SB 499 KEN MILLER

MONTANA OPPORTUNITY
SCHOLARSHIP PROGRAM

SB 500 BILL GLASER

REVISE SCHOOL FUNDING

SB 504 SAM KITZENBERG

SALES TAX ON GOODS FOR PROPERTY TAX
RELIEF, UNIVERSITIES, AND TEACHER PAY

SB 505 MIKE TAYLOR

MONTANA ENERGY RELIEF ACT
(ENCOURAGE GENERATING FACILITIES)

SB 516 LORENTS GROSFIELD

REVISE TAXATION OF CERTAIN RURAL LANDS

SJ 19 SAM KITZENBERG

INTERIM STUDY OF SCHOOL FUNDING LAWS FOR
DECLINING ENROLLMENT

Teacher Recruitment & Retention

HB 42 GAY ANN MASOLO
TEACHER NATIONAL CERTIFICATION STIPENDS
CHAPTER NUMBER: 555 EFFECTIVE DATE: 7/1/2001

The State of Montana is obligated to provide a one-time stipend of up to \$3,000 to each teacher who obtains certification from the National Board for Professional Teaching Standards. The teacher is eligible for the stipend in the school year beginning July 1 after the teacher obtains certification. If the funding for professional stipends is less than the total amount for which Montana teachers qualify, the Superintendent of Public Instruction shall prorate the funding to the district in a manner that provides the same stipend to each qualifying teacher. HB 2 appropriates \$30,000 per year for fiscal years 2002 and 2003.

HJ 40 NORMA BIXBY
INTERIM STUDY OF USE OF PPST IN TEACHER LICENSURE
CHAPTER NUMBER: N/A EFFECTIVE DATE: N/A

The Board of Public Education is asked to study the use of the Pre-Professional Skills Test as an entry test for admission into teacher education programs of the Montana University System, including programs in partnership with tribal and private colleges. Disaggregated demographic information broken down by ethnicity, gender, socioeconomic status and age will be used in denoting pass/fail rates, number of candidates tested and number of candidates who pass the test and eventually enter the teaching profession. The Board will also examine how teacher education programs prepare students for the test and what career paths those who fail the test end up pursuing. The study must be concluded by December 15, 2002 with findings, conclusions comments and recommendations presented to the appropriate committee of the 58th Legislature.

Failed Legislation — Teacher Recruitment & Retention

HB 60 ALAN OLSON
TEACHER SCHOLARSHIP PROGRAM

HB 65 BOB LAWSON
TEACHER MENTORING OR INDUCTION PROGRAM

HB 140 GAY ANN MASOLO
LOAN REPAYMENT ASSISTANCE FOR TEACHERS
WITH CERTAIN CERTIFICATIONS

HB 206 CHRISTOPHER HARRIS
BONUS PAYMENT FOR TEACHERS
WHO EARN DOCTORATE

HB 297 HOLLY RASER
REQUIRE PAYMENT OF STIPEND TO
SUPERVISORS OF STUDENT TEACHERS

HB 435 BOB LAWSON
LOANS FOR TEACHERS TO PURCHASE
HOUSING IN SCHOOL DISTRICT

HB 584 NANCY FRITZ
ALLOW CERTAIN RETIRED TEACHERS TO WORK
WITHOUT LOSS OF RETIREMENT BENEFITS

SB 100 SAM KITZENBERG
LOAN REPAYMENT ASSISTANCE FOR
TEACHER TEACHING IN MONTANA

Failed Legislation — Teacher Recruitment & Retention

SB 233 DALE MAHLUM

FINGERPRINTING FOR TEACHERS AND OTHER
SCHOOL EMPLOYEES

SB 444 EDWARD BUTCHER

PORTABILITY OF TEACHER SALARY STEPS AND
LANES

Index of K-12 Education-Related Bills

Bill	Sponsor	Subject	Pass Fail	Category
HB 2	Steve Vick	General Appropriations Act	P	Appropriations
HB 3	Stanley Fisher	Supplemental Appropriations	P	Appropriations
HB 13	Dave Lewis	State Pay Plan	P	Employee Relations
HB 19	Ralph Lenhart	Exempt Amateur Athletic Officials From Work Comp	P	Employee Relations
HB 20	Jim Shockley	Exclude Election Judges From Unemployment Insurance	P	Elections
HB 24	Ron Erickson	Revise Debt Limits Of Public Schools	P	School Finance
HB 30	Gary Matthews	Clarifying Place To Receive Custody Of Youth	P	At-Risk Youth
HB 31	Carol C Juneau	Increase K-12 BASE Aid	F	School Finance
HB 32	Bob Lawson	Address High School Dropouts By Increasing Age For ANB	F	School Finance
HB 37	John Witt	Revise Mill Levy Certification	P	School Finance
HB 41	John Witt	Revise Laws Governing Dedicated Revenue And Statutory Appropriations	P	Appropriations
HB 42	Gay Ann Masolo	Teacher National Certification Stipends	P	Teacher Recruitment & Retention
HB 48	Edith Clark	Appropriation To Implement State Contracting Recommendations	F	Appropriations
HB 53	Carol C Juneau	Indian Hiring Preference For Reservation Schools	F	Accreditation/Curriculum
HB 58	Ron Erickson	Increase Tax On Cigarettes And Tobacco Products For Education Funding	F	Appropriations
HB 59	Ron Erickson	Capital Costs For Schools In Subdivisions	F	School Finance
HB 60	Alan Olson	Teacher Scholarship Program	F	Teacher Recruitment & Retention
HB 61	Ron Erickson	Eliminate Phase Out Of Business Equipment Tax	F	School Finance
HB 65	Bob Lawson	Teacher Mentoring Or Induction Program	F	Teacher Recruitment & Retention
HB 71	Dave Gallik	Clarify Applicability Of Minimum Wage And Overtime Laws	P	Employee Relations
HB 80	Frank Smith	Require Local Residential Address For Voter Registration	P	Elections
HB 81	Joan Andersen	Student Alcohol , Tobacco, & Drug Testing For Extra Curricular Activities	F	At-Risk Youth
HB 91	George Golie	Coordinate School Election Dates	P	Elections
HB 97	Dave Lewis	Revise Laws Governing Teachers' Retirement System	P	Employee Relations
HB 103	Alan Olson	Multi-Year Accreditation Of Schools	P	Accreditation/Curriculum
HB 108	Mark Noennig	School District Cooperative Purchasing	P	School Finance
HB 110	Mark Noennig	Allow School Districts To Invest Endowments Under Uniform Management Practices	P	School Finance
HB 112	John Brueggeman	Establish Policy Governing E-Mail As A Public Record	P	Employee Relations
HB 116	Douglas Mood	Generally Revise The PERS Defined Contribution Retirement Plan	P	Employee Relations
HB 121	Douglas Mood	Increase Per-ANB And Basic Entitlements	P	School Finance
HB 124	Bob Story	Revise Local Government Funding	P	School Finance
HB 133	Dave Lewis	Allow Employee To Roll Over Sick Leave To Spouse Who Is Employee	F	Employee Relations
HB 134	Tom Facey	Revise Vocational And Technical Education Funding	P	School Finance
HB 140	Gay Ann Masolo	Loan Repayment Assistance For Teachers With Certain Certifications	F	Teacher Recruitment & Retention
HB 146	Jim Shockley	Revise Youth Court Act	P	At-Risk Youth
HB 150	Rod Bitney	Exempt Certain Benefits From Attachment	F	Employee Relations

Bill	Sponsor	Subject	Pass Fail	Category
HB 160	Joan Andersen	Revise Special Education Funding Allocations	P	School Finance
HB 161	Michelle Lee	Expand Non-Categorical Option For Special Education	F	School Finance
HB 162	Hal Jacobson	Increase Pupil Transportation Rate	F	School Finance
HB 163	Hal Jacobson	Revise Schedule For School Transportation Reimbursement	F	School Finance
HB 164	Alan Olson	School General Fund Budget Limitations	P	School Finance
HB 167	Donald L Hedges	Exempt Certain Entities From Universal Systems Benefit Charges	F	School Finance
HB 178	Stanley Fisher	Revise Funding Of Educational Services In Residential Treatment Centers	F	Appropriations
HB 179	Tom Dell	Voter Mill Levy Advisory Language	P	Elections
HB 181	Dave Lewis	Individualized Braille Literacy Assessments For Blind Students	F	Accreditation/Curriculum
HB 193	Frank Smith	Increase Student Transportation Rates	F	School Finance
HB 204	Rod Bitney	Cancel Voter Registration For Failure To Vote In 2 Consecutive Federal Elections	P	Elections
HB 205	Christopher Harris	Dollars For Education -- Car Rental, Realty Transfer, Bed, And Tobacco Taxes	F	School Finance
HB 206	Christopher Harris	Bonus Payment For Teachers Who Earn Doctorate	F	Teacher Recruitment & Retention
HB 232	Bob Lawson	Include All School Personnel In Compensated Absence Liability Fund	F	Employee Relations
HB 239	Bill Thomas	Access To Information Technology For Visually Impaired	P	Accreditation/Curriculum
HB 241	Bill Thomas	Clarify Law On Instructions To Voters	P	Elections
HB 247	Dave Lewis	Phase-In Reduction Of Fees In Lieu Of Tax For Heavy Trucks	P	School Finance
HB 249	Jesse Laslovich	School District To Hold Final Budget Meeting On Or Before August 15	P	School Finance
HB 250	Joe Balyeat	Clarify School Equalization Clause In Constitution	F	School Finance
HB 251	Jim Keane	Revise State Sick Leave Policy	F	Employee Relations
HB 262	Allan Walters	Filter Obscene Internet Material In Schools	F	Accreditation/Curriculum
HB 265	Tom Facey	Tuition Free Classes For Certain High School Students At Vocational Colleges	P	School Finance
HB 267	Carol C Juneau	Allow Tribal Colleges To Apply For State Adult Education Funds	P	Accreditation/Curriculum
HB 268	Rick Ripley	Increase School District Bidding Requirements To \$25,000	P	School Finance
HB 270	David Wanzenried	Tax Credit For Public School Teacher Purchase Of School Supplies	F	Employee Relations
HB 272	Alan Olson	Revise Religious Instruction Released Program Time	P	Accreditation/Curriculum
HB 277	Gay Ann Masolo	Educational Trust Fund	F	School Finance
HB 281	Monica Lindeen	Governmental Internet Information Privacy Act	P	Employee Relations
HB 294	Dave Lewis	Authorize Retirement Boards To Increase Annual Benefit Adjustment	P	Employee Relations
HB 297	Holly Raser	Require Payment Of Stipend To Supervisors Of Student Teachers	F	Teacher Recruitment & Retention
HB 321	Dee Brown	Second Alternative For Electing Additional High School Trustees	P	Elections
HB 322	Gary Matthews	Loading/Unloading Zone For School Buses At Special School Events	F	Safety
HB 345	Jeff Mangan	Revise County Official Salaries	P	Employee Relations
HB 353	Nancy Fritz	School Breakfast Program	P	At-Risk Youth
HB 358	Keith Bales	Allow Opening Or Reopening Of School In Mid-Year	P	School Finance
HB 367	Tom Facey	Revise Assessment And Taxation Of Newly Constructed Improvements	F	School Finance
HB 377	Roger Somerville	Revise Qualified Endowment Tax Credit -- 6-Year Extension	P	School Finance
HB 379	K. Galvin-Halcro	Clarify Requirement For Employee Break Time	F	Employee Relations
HB 384	Tom Facey	Survey Use Of School Buildings	F	Accreditation/Curriculum

Bill	Sponsor	Subject	Pass Fail	Category
HB 403	Kim Gillan	Restricted Driver's License For Minors	F	Safety
HB 416	Carol C Juneau	Interlocal Agreements For Programs For Drop-Outs	F	School Finance
HB 425	Gay Ann Masolo	Maintenance Of Effort Funds For Education For TANF Participants	F	School Finance
HB 427	Allen Rome	Clarify Responsibility For Education Costs Of Youth Placed In Facility	F	School Finance
HB 428	Gary Forrester	Reduce Income Tax Rate From 11% To 7% And Retain Federal Deductibility	F	School Finance
HB 431	Brad Newman	Crime To Possess Or For Parent To Allow Minor To Possess Weapon On School Ground	F	Safety
HB 434	Clarice Schrumpt	Sexual Offender Residency Restrictions	P	Safety
HB 435	Bob Lawson	Loans For Teachers To Purchase Housing In School District	F	Teacher Recruitment & Retention
HB 449	Cindy Younkin	High School Honor Scholarship Program	F	Accreditation/Curriculum
HB 474	Paul Sliter	Revise Energy Laws Pertaining To Large Customers	P	Energy
HB 483	David Wanzenried	Limit School Expenditures For Administration And Extracurricular Activities	F	School Finance
HB 488	Merlin Wolery	Consolidated Districts To Keep Basic Entitlements For 6 Years	P	School Finance
HB 510	Bob Lawson	Provide Gastrostomy Or Jejunostomy Tube Feeding Not Nursing Scope Of Practice	P	Safety
HB 511	Dan McGee	Clarifying That Sex Means Gender For Purposes Of State Rulemaking	F	Employee Relations
HB 520	Paul Clark	Student Hunter Safety Education Or Hunting Activity Release Time Program	F	Accreditation/Curriculum
HB 522	Gail Gutsche	Program To Establish Safe Routes To Schools	F	Safety
HB 525	Dave Kasten	Generally Revise State Expenditure Limitations	F	School Finance
HB 526	Gary Branae	Create Summer Youth Employment Program	P	Accreditation/Curriculum
HB 536	Roger Somerville	Revise Gifted And Talented Education Laws	F	Accreditation/Curriculum
HB 555	Joe Balyeat	Tax Credit For Education Expenses; Excellence In Teaching Award Program	F	School Finance
HB 557	Tom Facey	Require Schools To Report To OPI On Health/Human Sexuality Curriculum	F	Accreditation/Curriculum
HB 558	Holly Raser	Extend Notification For Compulsory Attendance To Nonpublic Schools	F	Accreditation/Curriculum
HB 561	Trudi Schmidt	Revise Personal Property Taxes	F	School Finance
HB 584	Nancy Fritz	Allow Certain Retired Teachers To Work Without Loss Of Retirement Benefits	F	Teacher Recruitment & Retention
HB 588	Joe Balyeat	Require Objectivity In Science Education	F	Accreditation/Curriculum
HB 593	Steve Vick	Written Authorization To Withhold Wages For Political Activity	F	Employee Relations
HB 598	John Brueggeman	Government Accountability Act; Scheduled Termination Of State Programs	F	School Finance
HB 600	S. Bookout-Reinicke	Tax Exemption For Energy Generating Equipment For A Business	P	School Finance
HB 613	Steve Vick	Review Personal Services Budget Development	F	Appropriations
HB 617	Joe Balyeat	Simplify And Reduce Montana Income Taxes	F	School Finance
HB 621	Monica Lindeen	Local Government Reimbursement	F	School Finance
HB 624	Gay Ann Masolo	Create And Fund Career And Technical Education Grant Program	F	Appropriations
HB 625	John Musgrove	Interim Study Of School Funding	P	School Finance
HB 629	Bill Eggers	Statewide Program Of Computer Education	F	Accreditation/Curriculum
HB 630	Rosalie Buzzas	Establish Child And Youth Development Grant Program	F	Accreditation/Curriculum
HB 631	Kim Gillan	Establish Coal Tax Trust To Support Education	F	School Finance
HB 632	Douglas Mood	Address Price For Commercial Users Of Electricity	F	School Finance

Bill	Sponsor	Subject	Pass Fail	Category
HB 633	Gary Forrester	Eliminate Business Equipment Tax -Block Grant Reimbursement To Local Government	F	School Finance
HB 636	Daniel Fuchs	Statewide Sales Tax Replacing Income Tax	F	School Finance
HB 638	Kim Gillan	Develop State Electrical Energy Policy And Plan	F	Energy
HB 641	Monica Lindeen	Plant Closure Impacts	F	Accreditation/Curriculum
HB 643	Carol C Juneau	Tax Exemption For Wind-Generated Electricity On Reservation - Funding	P	Energy
HB 645	Jeff Mangan	Implement An Electrical Energy Pool	P	Energy
HB 646	George Golie	Encourage Development Of Generation Resources	F	School Finance
HB 649	Brad Newman	Revise Education Funding	F	School Finance
HJ 2	Roger Somerville	Revenue Estimating Resolution	P	Appropriations
HJ 34	Dick Haines	Study Unfunded Leave Liability Of State Employees	P	Employee Relations
HJ 37	Jeff Pattison	Study Bicycle Safety Re Highway Planning, Design, And Use; Driver Ed./Licensing	P	Safety
HJ 40	Norma Bixby	Interim Study Of Use Of PPST In Teacher Licensure	P	Teacher Recruitment & Retention
HJ 41	Joan Andersen	Study Transfer Of Territory Between School Districts	P	School Finance
SB 1	Duane Grimes	Revise Employer Immunity Laws -- References - Defamation	F	Employee Relations
SB 4	Duane Grimes	Clarify Discharge From Employment During Probationary Period	P	Employee Relations
SB 24	John C Bohlinger	Revise Basic Entitlement For School Funding	F	School Finance
SB 32	Debbie Shea	Authorize Safety Recommendation To Employer For Safety Culture Act Violations	P	Safety
SB 35	Al Bishop	Require Uniforms In Public Schools	F	Accreditation/Curriculum
SB 36	Al Bishop	Dress Code For Teachers	F	Accreditation/Curriculum
SB 37	Dale Mahlum	Increase Retiree Hours Of Public Employment Limit	P	Employee Relations
SB 50	Mignon Waterman	Smoke Free State Buildings	P	Safety
SB 51	Don Hargrove	Public Employee Qualified Health Care Expense Accounts	P	Employee Relations
SB 60	Bea Mccarthy	Enabling Legislation For Education Commission Of The States	P	Appropriations
SB 65	Alvin Ellis	Revise Out Of District Tuition Laws	P	School Finance
SB 70	Bill Glaser	Revise K-12 Funding By Increasing Entitlements And Direct State Aid Percentage	F	School Finance
SB 79	Dan Harrington	Payment Of Wages And Benefits For Noncertified School Employees During Closure	F	School Finance
SB 82	Bob Keenan	Revise Laws On Public Mental Health System	P	At-Risk Youth
SB 88	Mignon Waterman	Continue Medicaid Funding For Youth Leaving Foster Care Until Age 21	F	At-Risk Youth
SB 89	Mignon Waterman	Reduce Waiting Period For GABA To 1 Year	P	Employee Relations
SB 94	Debbie Shea	Include 40% Of Special Education Allowable Cost Payment In BASE Budget	P	School Finance
SB 98	Dale Mahlum	Revise Permanent Partial Disability Benefits	F	Employee Relations
SB 99	Sam Kitzenberg	Statewide Teaching Salary Schedule	F	School Finance
SB 100	Sam Kitzenberg	Loan Repayment Assistance For Teacher Teaching In Montana	F	Teacher Recruitment & Retention
SB 101	Sam Kitzenberg	Referendum For Statewide Teacher Salary Schedule	F	School Finance
SB 107	Eve Franklin	Allow Teleconferencing In Mental Health Proceedings	P	At-Risk Youth
SB 110	Alvin Ellis	Revise Primary Election And School Election Dates	F	Elections
SB 111	Alvin Ellis	Revise Law For Transfer Of Property Between School Districts	F	School Finance
SB 116	Emily Stonington	Revise Laws Concerning Child Abuse & Neglect And Placement Or Adoption	P	At-Risk Youth

Bill	Sponsor	Subject	Pass Fail	Category
SB 117	Jon Tester	Exempt All School District Levies From Mill Limit	P	School Finance
SB 119	Dale Berry	Increase Cigarette Tax And Revise Distribution	F	School Finance
SB 129	Dale Berry	Implement Tobacco Settlement Trust Fund	P	Accreditation/Curriculum
SB 130	Fred Thomas	Public Procedure For Transferring School Property	P	School Finance
SB 139	Jack Wells	Protect Minors From Obscenity Over Internet In Libraries	F	Accreditation/Curriculum
SB 140	Jack Wells	Allow Parent Access To Child's Library Information	F	Accreditation/Curriculum
SB 141	Emily Stonington	Employee Access To Personnel Files	F	Employee Relations
SB 144	Linda Nelson	Transfer County Collections Report And Other Duties To Department Of Revenue	P	School Finance
SB 170	Mike Halligan	Revise Child Abuse And Neglect Laws	P	At-Risk Youth
SB 173	Alvin Ellis	Revise And Reform Income Taxes	F	School Finance
SB 174	Bill Glaser	Vehicle Revenue Distributed Based On Local Mill Levies	F	School Finance
SB 175	Bill Glaser	Revise Light Vehicle Registration Fees & Other Motor Vehicle Laws	P	School Finance
SB 177	Jack Wells	Fundamental Right Of Parents In Upbringing Of Child	F	Accreditation/Curriculum
SB 182	John Cobb	Revise Interlocal Agreements To Include Shared School Positions	P	School Finance
SB 184	John Cobb	Expand Interagency Coordinating Council For Prevention Programs Members	P	At-Risk Youth
SB 187	John Cobb	Revise And Standardize Local Government Notice Provisions	P	School Finance
SB 188	John Cobb	Transfer School District's General Fund Balance Into Misc. Programs Fund	F	School Finance
SB 190	Royal Johnson	Revise Investment Authority Of Local Government And Self-Insurance Pools	P	School Finance
SB 193	John Cobb	Regents As Carl Perkins Agency	F	School Finance
SB 213	Bill Glaser	Local Option Sales Taxes And Fees	F	School Finance
SB 218	Don Ryan	Allow Inactive Tuition Funds To Be Closed; Transferred Into Misc. Programs Fund	P	School Finance
SB 226	Jack Wells	Modify Statute On Use Of Names For Mailing List	P	Accreditation/Curriculum
SB 229	Vicki Cocchiarella	Not Marital Status Discrimination To Hire Spouse	P	Employee Relations
SB 231	Duane Grimes	Revise ANB To Include Pupils Educated Via Distance Learning	F	School Finance
SB 232	Dale Mahlum	Limit Property Tax Increases	F	School Finance
SB 233	Dale Mahlum	Fingerprinting For Teachers And Other School Employees	F	Teacher Recruitment & Retention
SB 235	Vicki Cocchiarella	Revise GABA If Become Member Of Another Retirement System	P	Employee Relations
SB 239	Don Ryan	Amend Basic Entitlement Definition To Increase The Entitlement	F	School Finance
SB 243	Royal Johnson	Provide Stability For Future Electric Rates	F	Energy
SB 255	Don Ryan	Provide Full ANB For Schools Offering Full-Time Kindergarten	F	School Finance
SB 256	Don Hargrove	Compliance With Selective Service As Condition For Public Employment	P	Employee Relations
SB 260	Dale Mahlum	Revise Permissible Investments Of Funds By School Districts	P	School Finance
SB 265	Don Hargrove	Authorize Temporary County Mill Levy Reductions	P	School Finance
SB 272	Ken Toole	Revise Universal System Benefits Charge	F	Energy
SB 284	Tom A Beck	Increase Guaranteed Annual Benefit Adjustment	F	Employee Relations
SB 294	Ric Holden	School Cafeteria Assistance And Food Equipment Program Act	F	Appropriations
SB 305	Vicki Cocchiarella	Alternative Position For Work Comp When No Position Available	P	Employee Relations
SB 306	Vicki Cocchiarella	Revise Public Retirement After 25 Years Of Service	P	Employee Relations
SB 307	Dan Harrington	Revise School District Budget Cap For Declining Enrollment	F	School Finance
SB 308	Dan Harrington	Increase Period Of Unemployment Compensation	F	Employee Relations
SB 312	Jim Elliott	Establish ANB Using 5-Year Average	F	School Finance
SB 313	Fred Thomas	Technology Acquisition And Depreciation Fund	P	School Finance

Bill	Sponsor	Subject	Pass Fail	Category
SB 322	Debbie Shea	Natural Resource Worker Education And Retraining	P	Accreditation/Curriculum
SB 323	Walter McNutt	Revise Exclusive Remedy For Worker's Compensation	P	Employee Relations
SB 327	Steve Doherty	Restrict Government Competition With Private Internet Service Providers	P	School Finance
SB 344	John Cobb	Increase Rate For School Transportation Contracts	P	School Finance
SB 351	Jon Ellingson	Revise Business Equipment Tax To 6% With First \$25,000 Exempt	F	School Finance
SB 374	Mike Taylor	Change Rates On Certain Class Four Property -- Recreational And Inflated Value	F	School Finance
SB 390	John Cobb	Revise School Finance Laws	P	School Finance
SB 394	Debbie Shea	Allow School Districts To Enter Into Agreements With Job Corps Programs	P	Accreditation/Curriculum
SB 398	Ken Miller	Temporary Power Generation Facilities -- Air Quality Permit	P	Energy
SB 402	Debbie Shea	Require Certain Contractors Provide Health Insurance Policy For Employees	F	Employee Relations
SB 404	Eve Franklin	Clarify Voting For Residents Of Split School District	F	Elections
SB 410	Sam Kitzenberg	Revise Benefit Adjustment Date For Teachers' Retirement Cola	F	Employee Relations
SB 418	Duane Grimes	Board Of Public Ed. To Adopt Rules On Teaching Sexual Abstinence	F	Accreditation/Curriculum
SB 423	Alvin Ellis	Petition To Create Single Member School Trustee Districts	P	Elections
SB 425	Bill Glaser	Clarify Vocational Education Agency Laws For Receipt Of Federal Funds	P	School Finance
SB 428	Dan Harrington	Increase Percentage Of Salary For Unemployment Calculation	P	Employee Relations
SB 430	Alvin Ellis	K-12 Reading Accountability	F	Accreditation/Curriculum
SB 433	Jim Elliott	County Revenue Distribution Of Forest Reserve Funds	P	School Finance
SB 436	Alvin Ellis	Revise School District Operating Expense And Purchasing Laws	P	School Finance
SB 439	Lorents Grosfield	Revise Lodging Facility Use Tax	F	School Finance
SB 443	Edward Butcher	Prohibit Public Record Disposal Without Offering To Public	P	School Finance
SB 444	Edward Butcher	Portability Of Teacher Salary Steps And Lanes	F	Teacher Recruitment & Retention
SB 445	Mike Taylor	Reorganize Department Of Commerce	P	School Finance
SB 454	Mignon Waterman	Multiagency Initiative For Hi-Cost SED Children Cases	P	At-Risk Youth
SB 457	Don Ryan	Authorize Use Of Impact Aid For School Bonding	P	School Finance
SB 462	Alvin Ellis	Delinquent Property Taxes -- Interest And Penalty When Revenue Bonds Issued	F	School Finance
SB 469	Bob Depratu	Coordinate Workforce Development Programs	P	Accreditation/Curriculum
SB 475	Steve Doherty	Prohibit Unfair Electricity Profits	F	Energy
SB 481	Dale Berry	Enhance Local Government Authority To Regulate Youth Access To Tobacco	F	Safety
SB 493	Fred Thomas	Revise Laws On Economic Development By Revising Investments	P	School Finance
SB 494	John Cobb	Revise Retail Telecommunications Excise Tax	P	School Finance
SB 495	Fred Thomas	Revise State Land Laws To Increase Funding For Trust	P	School Finance
SB 496	Bill Glaser	Temporarily Exempt New Energy Storage Facilities From Property Taxes	F	School Finance
SB 498	Don Ryan	Impose Visitor's Tax	F	School Finance
SB 499	Ken Miller	Montana Opportunity Scholarship Program	F	School Finance
SB 500	Bill Glaser	Revise School Funding	F	School Finance
SB 501	Lorents Grosfield	Clarify And Revise Determination Of Newly Taxable Property	P	School Finance
SB 503	Ken Toole	Referendum Allowing Issuance Of Bonds To Acquire Generating Facilities	F	Energy
SB 504	Sam Kitzenberg	Sales Tax On Goods For Property Tax Relief, Universities, And Teacher Pay	F	School Finance

Bill	Sponsor	Subject	Pass	Category
			Fail	
SB 505	Mike Taylor	Montana Energy Relief Act (Encourage Generating Facilities)	F	School Finance
SB 506	John Cobb	Encourage Alternative Energy And Electrical Generation	P	Energy
SB 508	Mack Cole	Encourage Electrical Generation In Montana	P	School Finance
SB 510	Corey Stapleton	Encourage Leasing Of Crown Butte Exchange Property For Coal Mining	P	School Finance
SB 515	Mike Taylor	Establish A Montana Power Authority	F	Energy
SB 516	Lorents Grosfield	Revise Taxation Of Certain Rural Lands	F	School Finance
SB 519	Glenn Roush	Revise Small Stripper Oil Well Tax Trigger	P	School Finance
SB 521	Steve Doherty	Revise Governor's Emergency Powers -- Energy Emergency	P	Energy
SJ 2	Mignon Waterman	Urge Training On Mental Illness	P	At-Risk Youth
SJ 14	Eve Franklin	Urge Establishing Public Service Obligation For 18-Year-Olds	F	Accreditation/Curriculum
SJ 19	Sam Kitzenberg	Interim Study Of School Funding Laws For Declining Enrollment	F	School Finance



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